United Nations A/69/831–S/2015/200

General Assembly
Security Council

Distr.: General
24 March 2015

Original: English

General Assembly
Sixty-ninth session
Agenda item 33
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Seventieth year

Identical letters dated 20 March 2015 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the statement of the Ministry of Foreign Affairs of Georgia, dated 18 March 2015, regarding the thirty-first round of the Geneva international discussions (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 33, and of the Security Council.

(*Signed*) Kaha **Imnadze**
Ambassador
Permanent Representative

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Annex to the identical letters dated 20 March 2015 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia regarding the thirty-first round of the Geneva international discussions

Tbilisi, 18 March 2015

The thirty-first round of the Geneva international discussions was held on 18 March 2015. The participants of the discussions took part, in their individual capacity, in two working groups. Security and stability in the Russian-occupied territories of Georgia — Abkhazia and the Tskhinvali region — were discussed in working group I, whereas discussions in working group II were focused on issues related to the safe and dignified return of internally displaced persons and refugees to their original places of residence. The discussions were co-chaired by the representatives of the European Union, the United Nations and the Organization for Security and Cooperation in Europe and attended by participants from Georgia, the Russian Federation and the United States of America. The Head of the Provisional Administration of the former South Ossetian Autonomous District and the Chairman of the Government of the Autonomous Republic of Abkhazia, as well as representatives of the Russian occupation regimes in Sokhumi and Tskhinvali also took part in the discussions.

Negotiations were held in a difficult atmosphere, while in parallel the so-called "treaty on alliance and integration" was being signed in Moscow between Russia and its occupation regime in Tskhinvali. That document implies the factual annexation of the Tskhinvali region by Russia and is directly linked to all key issues on the agenda of the Geneva international discussions, including security and humanitarian aspects.

The decision to have the signature of the so-called "treaty" coincide with the Geneva international discussions represents a deliberate provocation aimed at discrediting the only format of negotiations between Georgia and Russia on security issues under international mediation and disrupting the current round of the discussions.

The Georgian delegation raised the issue with the co-chairs and the representatives of the United States and called upon them to give a proper assessment of the illegal and provocative action of the Russian Federation. On the eve of the signature, the High Representative of the European Union for Foreign Affairs and Security Policy and the United States Department of State made statements condemning the so-called "treaty" between the Russian Federation and its occupation regime in Tskhinvali. That the day of the signature coincided with the Geneva international discussions was assessed as an action directed against the existing format. The issue was also touched upon in the statement of the co-chairs of the discussions, in which they called upon the participants to engage constructively.

Within the working groups, participants from Georgia condemned Russia's factual annexation of the occupied territories and its deliberate policy against the Geneva international discussions. They highlighted all the risks stemming from the

implementation of the so-called "treaties" for the Russian-occupied Georgian regions and the adjacent areas in the security, humanitarian and human rights spheres.

In the light of the current situation, the Georgian delegation stressed the urgent necessity of a non-use of force pledge by Russia, as well as the establishment of effective international security and human rights monitoring mechanisms inside the occupied territories. Within working group II, the importance of the safe and dignified return of internally displaced persons and refugees, freedom of movement across the occupation line and receiving education in one's native language were discussed.

The fundamental demands of the Georgian side were rejected by some participants and, as a result, they walked out at the end of the round. The Georgian delegation made the best of the format of the thirty-first round of the Geneva international discussions and raised all key issues pertaining to the agenda.

The next round of the Geneva international discussions will be held on 30 June and 1 July 2015.

United Nations A/69/833–S/2015/201

General Assembly
Security Council

Distr.: General
24 March 2015
English
Original: Arabic

General Assembly
Sixty-ninth session
Agenda item 107
Measures to eliminate international terrorism

Security Council
Seventieth year

Identical letters dated 23 March 2015 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, and further to our identical letters of 24 February 2015 (A/69/795-S/2015/137), I wish to draw your attention to the following information:

From 22 February to 22 March 2015, armed terrorist groups bombed and shelled the cities of Syria, killing 172 Syrian civilians, 28 of them children, and injuring 383 civilians, 83 of them children. Those criminal acts have now claimed a total of 17,358 Syrian civilian lives, including 1,895 children; 16,129 civilians, 2,913 of them children, have been wounded.

Those figures include all Syrian governorates except for Raqqah. They do not include those members of the Syrian Arab Army, the security forces and law enforcement forces who have died in clashes with terrorist organizations and terrorists, including the foreign terrorist fighters and mercenaries brought to Syria by State sponsors of terrorism in order to wreak havoc and destruction in the country, in a flagrant standing violation of Security Council resolutions 1267 (1999), 1373 (2001), 1989 (2011), 2170 (2014), 2178 (2014) and 2199 (2015). Nor do those figures reflect the civilians who have been shot, have had their throats cut or have fallen victim to any of the other barbaric criminal methods used by the terrorist organizations.

The Government of the Syrian Arab Republic once again calls on the Security Council to assume its responsibilities by condemning and holding to account State sponsors of terrorism, particularly the regimes of Turkey, Saudi Arabia and Qatar, and by prevailing on them to bring an end to their destructive activities, which endanger international peace and security.

I should be grateful if you would have the present letter issued as a document of the General Assembly, under agenda item 107, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

15-04706 (E) 250315 270315

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United Nations S/2015/202

Security Council

Distr.: General
23 March 2015
English
Original: French

Letter dated 20 March 2015 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith a copy of the letter dated 9 March 2015 signed by Judge Sang-Hyun Song, President of the International Criminal Court, as well as its enclosure, namely, the decision on the Prosecutor's request for a finding of non-compliance against the Republic of the Sudan issued by Pre-Trial Chamber II on 9 March 2015 in the case of *The Prosecutor v. Omar Hassan Ahmad Al Bashir* (see annex).

By its resolution 1593 (2005) of 31 March 2005, the Security Council referred the situation in Darfur, Sudan, to the Prosecutor of the International Criminal Court. In its decision of 9 March 2005, Pre-Trial Chamber II found that the Republic of the Sudan had failed to cooperate with the Court with respect to its requests for the arrest and surrender of Omar Hassan Ahmad Al Bashir.

In his letter, the President of the International Criminal Court transmits a copy of the Pre-Trial Chamber's decision for onward transmission to the Security Council, pursuant to article 17, paragraph 3, of the Relationship Agreement between the United Nations and the International Criminal Court.

I should be grateful if you would transmit the letter from President Song and the decision issued by Pre-Trial Chamber II to the members of the Security Council and bring these documents to their attention.

(*Signed*) **BAN** Ki-moon

15-04616 (E) 010415 020415

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Annex

Letter dated 9 March 2015 from the President of the International Criminal Court addressed to the Secretary-General

[Original: English]

Pursuant to article 17 (3) of the Relationship Agreement between the United Nations and the International Criminal Court, and in accordance with article 87 (7) of the Rome Statute and regulation 109 (4) of the Regulations of the Court, and as requested by Pre-Trial Chamber II, I hereby transmit the decision on the Prosecutor's request for a finding of non-compliance against the Republic of the Sudan of the said Chamber, dated 9 March 2015 (see enclosure).

I would be grateful if you could convey the present letter and the attached decision to the Security Council.

(*Signed*) Sang-Hyun **Song**

Enclosure

[Original: English and French]

No.: **ICC-02/05-01/09**
Date: **9 March 2015**

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Presiding Judge
Judge Cuno Tarfusser
Judge Christine Van den Wyngaert

SITUATION IN DARFUR, SUDAN

THE PROSECUTOR V. OMAR HASSAN AHMAD AL BASHIR

Public

Decision on the Prosecutor's Request for a Finding of Non-Compliance Against the Republic of the Sudan

Document to be notified, in accordance with regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor
Fatou Bensouda, Prosecutor
James Stewart, Deputy Prosecutor

Counsel for the Defence

Legal Representatives of Victims
Mr Nick Kaufman
Ms Wanda M. Akin
Mr Raymond M. Brown

Legal Representatives of Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States Representatives
Competent authorities of the Republic of Sudan

Others
Presidency
Bureau of the Assembly of States Parties

REGISTRY

Registrar
Herman von Hebel

Deputy Registrar

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Others

Pre-Trial Chamber II (the "Chamber") of the International Criminal Court (the "Court" or the "ICC") issues this decision on the "Prosecution's request for a finding of non-compliance against the Republic of the Sudan in the case of *The Prosecutor v. Omar Hassan Ahmad Al Bashir*, pursuant to Article 87(7) of the Rome Statute" (the "Prosecutor's Request" or "Application").[1]

The present decision is classified as public although it refers to the existence of documents which have been submitted and are currently treated as under seal, confidential, *ex parte* Prosecutor only and, as the case may be, to a limited extent to their content, which have been submitted and are currently treated as under seal and confidential, *ex parte* Prosecutor only. The references made in the present decision have been kept to a minimum as they are required for the sake of judicial reasoning.

I. PROCEDURAL HISTORY

1. On 31 March 2005, the Security Council (the "SC" or the "Council) acting under Chapter VII of the Charter of the United Nations (the "UN") adopted Resolution 1593(2005) referring the situation in Darfur, Sudan to the Court.[2]

2. On 4 March 2009 and 12 July 2010, Pre-Trial Chamber I ("PTC I") issued two warrants of arrest against Omar Hassan Ahmad Al Bashir ("Omar Al Bashir").[3] These warrants of arrest remain to be executed.

3. On 5 March 2009 and 21 July 2010, the Registry, acting upon PTC I's request, issued the "Request to the Republic of the Sudan for the arrest and Surrender of

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1 ICC-02/05-01/09-219.
2 S/RES/1593 (2005).
3 Pre-Trial Chamber I, "Warrant of Arrest for Omar Hassan Ahmad Al Bashir", 4 March 2009, ICC-02/05-01/09-1; "Second Warrant of Arrest for Omar Hassan Ahmad Al Bashir", 12 July 2010, ICC-02/05-01/09-95.

Omar Al Bashir"[4] as well as the "Supplementary Request to the Republic of the Sudan for the arrest and surrender of Omar Hassan Ahmad Al Bashir" (the "2009 and 2010 Requests").[5] These requests called for the cooperation of Sudan in the arrest and surrender of Omar Al Bashir, pursuant to, *inter alia*, articles 89(1) and 91 of the Rome Statute (the "Statute").

4. On 31 March 2009, the Registry filed the "report on the transmission of the Requests for Arrest and Surrender [...] to States Parties and Non States Parties pursuant to the Decision dated 4 March 2009", together with five annexes appended thereto (the "31 March 2009 Registry Report").[6]

5. On 25 May 2010, PTC I issued the "Decision informing the United Nations Security Council about the lack of cooperation by the Republic of the Sudan" in the context of the case of the *Prosecutor v. Ahmad Muhammad Harun and Ali Muhammad Ali Abd-Al-Rahman*.[7]

6. On 15 September 2010, PTC I received the "Report of the Registrar on the transmission of the requests and supplementary requests for the arrest and surrender of Omar Hassan Ahmad Al-Bashir",[8] together with six annexes appended thereto (the "15 September 2010 Registry Report").

7. On 15 March 2012, the Presidency issued the "Decision on the constitution of Pre-Trial Chambers and on the assignment of the Democratic Republic of the

4 ICC-02/05-01/09-5.
5 ICC-02/05-01/09-101.
6 ICC-02/05-01/09-18-US-Exp and its annexes.
7 Pre-Trial Chamber I, ICC-02/05-01/07-57.
8 ICC-02/05-01/09-113-Conf-Exp and its annexes.

Congo, Darfur, Sudan and Côte d'Ivoire situations", in which it reassigned, *inter alia*, the situation of Darfur, Sudan to this Chamber.[9]

II. APPLICABLE LAW

8. The Chamber notes articles 21(1)(a) and (b), 86, 87(7) 89 and 97 of the Statute, rule 195(1) of the Rules of Procedure and Evidence (the "Rules"), regulation 109(2), (3) and (4) of the Regulations of the Court (the "Regulations") and article 17(3) of the Negotiated Relationship Agreement between the ICC and the UN (the "Relationship Agreement").

III. DETERMINATION BY THE CHAMBER

9. The Chamber recalls the 2009 and 2010 Requests in which the Registrar transmitted to Sudan the two cooperation requests for the arrest and surrender of Omar Al Bashir. In relation to the first warrant of arrest, the Registrar reported in the 31 March 2009 Registry Report, that the "representative of the Republic of Sudan [refused to receive these documents] and indicated that Sudan did not recognize the jurisdiction of the Court".[10] The Sudanese Government reacted in a similar manner with respect to the second warrant of arrest and the subsequent request for arrest and surrender prepared by the Registrar on 21 July 2010.

10. According to the 15 September 2010 Registry Report, the Registrar, being aware of the Sudanese previous non-cooperative position, invited the competent authorities of the country "for a discussion to facilitate the communication" between the Sudanese Government and the Court.[11] Nonetheless, following two telephone conversations between the representative of the Court and the

[9] Presidency, ICC-02/05-01/09-143.
[10] ICC-02/05-01/09-18-US-Exp, para. 8; ICC-02/05-01/09-18-US-Exp-Anx3.
[11] ICC-02/05-01/09-113-Conf-Exp-Anx3.

Sudanese Embassy on 1 and 3 September 2010 respectively, the competent authorities of Sudan made it clear that they "cannot receive any document from the Court and that *this position will not change*" (emphasis added).[12]

11. Indeed, in a number of statements issued by Sudanese officials following the issuance of the 4 March 2009 and the 12 July 2010 warrants of arrest respectively, it became self-evident that Sudan deliberately refuses to cooperate with the Court in the arrest and surrender of Omar Al Bashir. In presenting his ninth report to the SC on 5 June 2009, pursuant to resolution 1593(2005),[13] the Prosecutor quoted the Sudanese presidential assistant saying that, "[n]o Sudanese, not Al-Bashir and not a non-Al-Bashir, will appear before the [Court], and we will not even send a lawyer to represent us there".[14]

12. Further, in response to the Prosecutor's seventeenth briefing to the SC on 5 June 2013, the Sudanese representative expressly stated that the "Prosecutor's demand that [the Sudanese government] implement the arrest warrants issued against [Omar Al Bashir] and other Sudanese officials is unacceptable because it is based on faulty logic [and] [w]hat is based on wrong is of necessity wrong itself".[15] In the same vein, the Sudanese Ambassador to the UN more recently stated that "our participation [in the respective meeting before the SC] does not mean that we recognize the [ICC] or that we are going to cooperate with it, since the Sudan is not a party to the Rome Statute".[16]

13. In this context, the Chamber wishes to highlight that indeed only States Parties to the Statute are under an obligation to cooperate with the Court. Given

12 ICC-02/05-01/09-113-Conf-Exp-Anx3; also ICC-02/05-01/09-113-Conf-Exp, para. 8.
13 S/RES/1593 (2005), para. 8.
14 ICC-02/05-01/09-219, para. 15.
15 ICC-02/05-01/09-219, para. 26.
16 ICC-02/05-01/09-219, para. 18.

that the Statute is an international treaty governed by the rules set out under the Vienna Convention on the Law of Treaties, it is only with the State's consent that the Statute can impose obligations on a non-State Party.[17] Nevertheless, this principle may be altered by the SC which may, by means of a resolution adopted under Chapter VII of the UN Charter, create an obligation to cooperate with the Court on those UN Member States which are not parties to the Statute. In such a case, the obligation to cooperate stems directly from the UN Charter.

14. Sudan is a UN member since 12 November 1956, and as such, it is bound by the terms of the UN Charter including its article 25 according to which "[m]embers of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the [...] Charter". In its advisory opinion on *Namibia* the International Court of Justice ("ICJ") stated, "when the Security Council adopts a decision under article 25 in accordance with the Charter, it is for member States to comply with that decision [...]. To hold otherwise would be to deprive this principal organ of its essential functions and powers under the Charter".[18]

15. The SC adopted resolution 1593(2005) in which it was *decided* that the "Government of Sudan [...] *shall* cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution".[19] The legal effect of this resolution is twofold. First, Part 9 of the Statute and the

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[17] UNTS, Vol. 1155, art. 34; See also Pre-Trial Chamber II, "Decision on the 'Prosecution's Notification of Travel in the Case of The Prosecutor v Omar Al Bashir'", 1 October 2014, ICC-02/05-01/09-208, para. 10; Pre-Trial Chamber I, "Decision on the request of the Defence of Abdullah Al-Senussi to make a finding of non-cooperation by the Islamic Republic of Mauritania and refer the matter to the Security Council", 28 August 2013, ICC-01/11-01/11-420, para. 12.

[18] ICJ, *"Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)"*, Advisory Opinion, 21 June 1971, para. 116.

[19] SC Res 1593(2005), para. 2.

relevant Rules governing State Party cooperation become applicable vis-à-vis Sudan. Second, Sudan is expected, consequently, to provide the necessary cooperation envisaged in said resolution including the implementation of the 2009 and 2010 Requests calling for the arrest and surrender of Omar Al Bashir in accordance with the Court's cooperation regime set out in Part 9 and its national laws. Therefore, should Sudan have faced any legal impediment to comply with these requests, the Sudanese authorities should have consulted or notified the Court in accordance with article 97 of the Statute and rule 195 of the Rules of the existence of a problem related to the execution of the Court's requests.

16. In view of the foregoing, the Chamber considers that Sudan not only disregarded the 2009 and 2010 Requests related to its obligation to cooperate in the arrest and surrender of Omar Al Bashir, pursuant to articles 86 and 89 of the Statute, but also SC Resolution 1593(2005). It also did not discharge its obligations to consult or notify the Court of any impediment to execute the pending requests. This course of action calls upon the SC to take the necessary measures they deem appropriate.

17. In this context, the Chamber wishes to reiterate that, unlike domestic courts, the ICC has no direct enforcement mechanism in the sense that it lacks a police force. As such, the ICC relies mainly on the States' cooperation, without which it cannot fulfil its mandate. When the SC, acting under Chapter VII of the UN Charter, refers the situation in Darfur, Sudan to the Court as constituting a threat to international peace and security, it must be expected that the Council would follow-up by way of taking such measures which are considered appropriate, if there is an apparent failure on the part of Sudan to cooperate in fulfilling the Court's mandate as entrusted to it by the Council. Otherwise, if there is no follow

up action on the part of the SC, any referral by the Council to the ICC under Chapter VII of the UN Charter would never achieve its ultimate goal, namely, to put an end to impunity. Accordingly, any such referral would become futile.

18. Having stated the above, the Chamber recalls article 87(7) of the Statute according to which, "[w]here a State Party fails to comply with a request to cooperate by the Court contrary to the provisions of this Statute [...] the Court may make a finding to that effect and refer the matter to the Assembly of States Parties or, where the Security Council referred the matter to the Court, to the Security Council". However, before making a finding to that effect, regulation 109(3) of the Regulations dictates that the "Chamber shall hear [first] from the requested State".

19. In this regard, the Chamber notes that Sudan has constantly refused to engage in any sort of dialogue with the responsible organs of the Court over the past six years. As such, the Chamber considers that Sudan has waived its right to be heard on the matter, and it may accordingly proceed to the next step regarding Sudan's non-cooperation with the Court. Since Sudan has failed to cooperate with the Court with regard to the arrest and surrender of Omar Al Bashir as explained in the relevant parts of this decision, thus preventing the institution from exercising its functions and powers under the Statute, the Court cannot but refer the matter to the SC for the Council to take appropriate measures. In this context, the Chamber deems it appropriate to also notify the competent authorities of Sudan, the Prosecutor, the participants in relation to the present case, as well as the Assembly of States Parties to the Statute, of this decision for their information.

FOR THESE REASONS, THE CHAMBER HEREBY

a) finds that the Republic of Sudan: (1) has failed to cooperate with the Court by deliberately refusing to liaise with the relevant organs of the Court and execute the pending requests for the arrest and surrender of Omar Hassan Ahmad Al Bashir, thus preventing the Court from exercising its functions and powers under the Statute; and (2) has failed to consult the Court in accordance with article 97 of the Statute and rule 195(1) of the Rules on any problem(s) which could have impeded the execution of the requests for arrest and surrender of Omar Hassan Ahmad Al Bashir, namely to bring to the attention of the Court relevant information which would have assisted it in deciding on any such problem; and

b) refers, in accordance with regulation 109(4) of the Regulations, the present decision to the President of the Court for transmission to the Security Council, through the Secretary General of the United Nations, pursuant to article 17(3) of the Relationship Agreement.

Done in both English and French, the English version being authoritative.

Judge Ekaterina Trendafilova
Presiding Judge

Judge Cuno Tarfusser

Judge Christine Van den Wyngaert

Dated this Monday, 9 March 2015

At The Hague, The Netherlands

United Nations S/2015/203

Security Council

Distr.: General
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Conflict-related sexual violence

Report of the Secretary-General

I. Introduction

1. The present report, which covers the period from January to December 2014, is submitted pursuant to paragraph 22 of Security Council resolution 2106 (2013), in which the Council requested me to report annually on the implementation of resolutions 1820 (2008), 1888 (2009) and 1960 (2010) and to recommend appropriate actions. The report presents information on parties to conflict credibly suspected of committing or being responsible for acts of rape and other forms of sexual violence. The year under review was marked by harrowing accounts of rape, sexual slavery and forced marriage being used by extremist groups, including as a tactic of terror.

2. The term "conflict-related sexual violence", which appears throughout the present report, refers to rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization and other forms of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is linked, directly or indirectly (temporally, geographically or causally) to a conflict. This link may be evident in the profile of the perpetrator; the profile of the victim; in a climate of impunity or State collapse; in the cross-border dimensions; and/or in violations of the terms of a ceasefire agreement.

3. While conflict-related sexual violence occurs in many settings, the present report focuses on 19 country situations for which credible information is available. It covers 13 conflict settings, 5 post-conflict countries and 1 additional situation of concern. It highlights actions taken and challenges faced by States in attempting to protect civilians from such violence. It also provides an update on the efforts of the United Nations system, including through the work of the inter-agency network United Nations Action against Sexual Violence in Conflict, and on the technical assistance provided by the Team of Experts on the Rule of Law and Sexual Violence in Conflict and contains recommendations to enhance collective efforts to combat this crime. The report should be read in conjunction with my six previous reports on conflict-related sexual violence, which provide a cumulative basis for the inclusion of 45 parties in the list of parties credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence in situations of armed conflict on the agenda of the Security Council (annex), 13 of which appear for the first time.

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4. The report is based on cases documented by United Nations peacekeeping and political missions as well as country teams. As such, it is only indicative of the scale and character of sexual violence globally. It is noteworthy that the increased presence of Women's Protection Advisers in the field has made a tangible contribution to improving the quality of information and analysis received.[1] Moreover, since the establishment of the post of my Special Representative on Sexual Violence in Conflict, ground-breaking gains have been made in terms of traction with national authorities, accountability and engagement with armed forces and groups, though momentous challenges remain.

II. Sexual violence as a threat to international peace and security: overview of current and emerging concerns

5. Sexual violence during and in the wake of conflict continues to be dramatically underreported because of the risks, threats and trauma faced by those who come forward. These risks affect not only the survivors, but also witnesses, human rights defenders, service providers, journalists, justice officials and others who seek to ensure that sexual violence is no longer suffered in silence. Despite the political momentum and visibility gained in recent years, the reality on the ground is that many Governments have not been able to create an environment in which survivors feel safe to report sexual violence. The fear of stigmatization and reprisals is almost universal, and often compounded by a sense of futility stemming from the limited services available and the painfully slow pace of justice. Even in settings where primary health care is available, further capacity-building and resources are urgently needed to help frontline staff deliver comprehensive care, including mental health and psychosocial support. In situations of live conflict, such as the Central African Republic, Iraq, Somalia, South Sudan, the Sudan and the Syrian Arab Republic, service provision is further impeded by access restrictions and a climate of fear.

6. In 2014, sexual violence against adolescent girls, including incidents of rape, sexual slavery and forced marriage, continued to be a disturbing trend. The ideological opposition of extremist groups to the education of girls has placed them at heightened risk of abuse. Other trends include the use of sexual violence as a form of persecution to forcibly displace populations as well as the vulnerability of displaced and refugee women and girls to sexual abuse. The threat or use of sexual violence as a form of ill-treatment in detention settings (often against men and boys) is evident in many situations. The targeting of individuals on the basis of their (actual or perceived) sexual orientation has come to light as a form of social control employed by certain armed groups in the Syrian Arab Republic, Iraq and elsewhere. In recent months, sexual violence in the context of rising violent extremism has captured the attention of the world. This transnational threat makes it more urgent than ever to confront the challenge of engaging non-State actors.

7. Displaced civilians fleeing their homes in fear for their lives owing to instability in the Syrian Arab Republic or the Horn of Africa remain at high risk, even when they reach the supposed refuge of neighbouring countries. There have

[1] To date, 20 Women's Protection Advisers have been deployed in six settings to, among other things, support implementation of the monitoring, analysis and reporting arrangements on conflict-related sexual violence and to facilitate dialogue with parties to conflict.

been rising numbers of displaced civilians in the Sudan (Darfur) over the past year, with attendant reports of sexual violence. In the Democratic Republic of the Congo, vulnerability persists both for those displaced internally and those who seek to cross the border into neighbouring Angola or the Republic of the Congo. Forced dispossession effectively denies women a vital source of livelihood. In Colombia, women working with displaced communities and calling for land restitution have been targeted by armed groups and subjected to repeated sexual assault. Around the world, both urban and camp environments pose considerable risks of sexual exploitation for women and girls. Particular attention must be paid to the underlying political economy of violence, including competition for the control of natural resources and mining settlements by armed groups, which correlates with increased civilian displacement, human trafficking and sexual abuse, as witnessed in the Democratic Republic of the Congo and elsewhere. Since civil unrest began in South Sudan in December 2013, there have been 53,079 new arrivals at the Kakuma refugee camp in Kenya, many of them unaccompanied minors, with a corresponding increase in reports of sexual assault, teenage pregnancies and forced marriage. Similarly, in Dadaab camp, sexual violence has increased as the population has grown, with safety and community protection mechanisms (such as lighting and fencing) yet to be established in the new sections of the camp.

8. Sexual violence perpetrated by State actors or armed groups associated with the State remains of grave concern in countries such the Sudan (Darfur), South Sudan, the Syrian Arab Republic and the Democratic Republic of the Congo. Indeed, in recent years, particular emphasis has been placed on the responsibility of Governments to protect the civilian population. This has been exemplified by such actions as the appointment of advisers to fight sexual violence and the adoption of codes of conduct and action plans by militaries, as occurred in the Democratic Republic of the Congo and Côte d'Ivoire, or zero-tolerance policies for the armed forces, as exists in Colombia and Nepal. However, non-State actors account for the vast majority of incidents, and engaging them raises political and operational challenges. Sexual violence perpetrated by non-State armed groups, including those pursuing extremist ideologies in Iraq, Syria, Somalia, Nigeria, Mali, Libya and Yemen, was of grave concern during 2014 and efforts to degrade or destroy the capacity of groups like Islamic State in Iraq and the Levant (ISIL), Al-Shabaab, Boko Haram, Ansar Dine and Al-Qaida affiliates are an essential part of the fight against conflict-related sexual violence.

9. As in 2013, political will to end conflict-related sexual violence was demonstrated by both affected States and the international community at large. The United Kingdom of Great Britain and Northern Ireland hosted the Global Summit to End Sexual Violence in Conflict, held in London in June 2014. At this forum, several States made new commitments and the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict was launched. Senior military leaders, including army chiefs of staff, addressed the role of the security sector in this effort. Representatives of Côte d'Ivoire, the Democratic Republic of the Congo and the Federal Government of Somalia described initiatives that were under way to fight sexual violence. Funding was pledged to support these processes, as well as reparations for survivors and resources for the International Criminal Court Trust Fund for Victims. In addition to high-level advocacy, greater support is needed to enhance the capacity of grass-roots women's organizations and frontline service providers to meet elevated expectations.

10. Indeed, the era of silence has been replaced by international recognition that the shame of sexual violence resides not in the victims but in the perpetrators and any party that condones or conceals their conduct. However, serious concerns persist about official denials and efforts to downplay these crimes, including pressure to induce victims and witnesses to withdraw their complaints. Evidence of sexual violence is not always readily apparent or easily traced, hence the need for timely, independent and transparent investigations, linked to services and survivor care.

11. Across the varied contexts examined in the present report, a common point is that waves of conflict-related sexual violence take place against a backdrop of structural gender-based discrimination, including in formal and informal systems of law, and the exclusion of women from political life. For example, the disempowerment of women that attends the rise of violent extremism is not incidental, but systemic. In countries where conflict-related sexual violence is most prevalent, safe abortion is inaccessible or illegal and survivors face the risk of becoming victims of "honour" or "morality" crimes, as well as economic marginalization. Often, women and girls are subjected to sexual violence when they are engaged in tasks that are socially prescribed on the basis of gender, such as collecting firewood or water, as documented in Darfur, the Democratic Republic of the Congo and northern Nigeria. Moreover, the occurrence of many incidents reveals that it is precisely the mechanisms of coping with conflict that place women and girls at risk of sexual violence, whether it be forced displacement to escape the fighting, early marriage to "protect" daughters or sexual exploitation as a means of survival. Some women even face double victimization if they report crimes to predatory security officials or are compelled to marry the perpetrator as a form of traditional settlement, as documented in Somalia, South Sudan and elsewhere. These dynamics affirm that efforts to prevent conflict, foster equality and build gender-responsive institutions are central to eradicating the scourge of sexual violence.

A. Sexual violence in conflict-affected settings

Afghanistan

12. Sexual violence is chronically underreported in Afghanistan owing to the stigmatization of complainants and lack of access to Taliban-controlled areas. Under the applicable legal framework, women victims may be charged with adultery and exposed to further harm, which discourages them from seeking redress. Between January and December 2014, the United Nations Assistance Mission for Afghanistan (UNAMA) documented 44 incidents of sexual violence against women and girls, 3 of which were committed by a party to the conflict, namely members of the Afghan National Police in Faryab and Herat provinces, and a member of an illegal armed group in Baghlan province. In 2014, eight incidents of sexual violence against children were carried out by parties to the conflict, seven by members of the Afghan National Security Forces and one by a member of a pro-Government militia. According to the Government's second report on implementation of the Law on the Elimination of Violence against Women, 174 rapes and 1 case of forced prostitution were recorded between March 2013 and March 2014. In September 2014, the New Afghanistan Women's Association presented research based on 2,000 survey questionnaires in which 35 per cent of respondents identified the perpetrators of sexual violence as "influential people, armed commanders and illegal armed

individuals". In 2014, the Afghan Independent Human Rights Commission undertook a national inquiry into *bacha bazi* (the practice of subjecting boys to sexual exploitation), which found that 8 per cent of perpetrators were local commanders. However, available information does not indicate that parties to the conflict are responsible for systematic patterns of sexual violence, which is the threshold for listing in the annex to the present report.

Recommendation

13. I urge the Government of Afghanistan to adopt legislative reforms to ensure that sexual violence offences are not conflated with adultery or "morality crimes" and to establish infrastructure for the delivery of protection, health and legal services to survivors. I call on the Ministry of the Interior to accelerate efforts to integrate women into the Afghan National Police, thereby enhancing its outreach and its capacity to address sexual and gender-based violence.

Central African Republic

14. During the reporting period, 2,527 cases of conflict-related sexual violence were documented in the Central African Republic, including rape perpetrated to terrorize civilians, with many victims being assaulted in their homes, during door-to-door searches and while sheltering in fields or the bush. Women and girls have been systematically targeted. There have also been cases of conflict-related sexual violence against men and boys. Alleged perpetrators are associated with armed herders from Fulani Mbarara communities and members of ex-Séléka, anti-balaka, Révolution et justice and the Front démocratique du peuple centrafricain armed groups. On 5 May, my Special Representative on Sexual Violence in Conflict briefed the Security Council Committee established pursuant to resolution 2127 (2013) on the situation in the country, noting that all parties have used sexual violence to subjugate and humiliate opponents.

15. Conflict-related sexual violence in the prefectures of Ombella-Mpoko, Ouham, Ouham-Pende, Nana-Mambere, Lobaye and Mambere-Kadei are of particular concern. Sexual violence occurred at alarming rates during and in the immediate aftermath of hostilities. Currently, the number of rapes seems to be declining in the main towns owing to the combined security presence of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), Sangaris and EUFOR. However, violence persists on the outskirts of towns, with the breakdown of social services creating extreme hardship for civilians, especially those in mining and border areas. Medical care, including post-exposure prophylaxis to prevent HIV transmission, remains largely out of reach. The Transitional Government is in the process of adopting a decree to establish a joint rapid response unit to combat sexual violence. In April 2014, the authorities created a special investigation unit for the prosecution of serious human rights violations. Efforts are also under way to draft a law to establish a special criminal court that would have jurisdiction over grave violations of international humanitarian and human rights law, including conflict-related sexual violence. Sexual violence was taken into account in the cessation of hostilities agreement negotiated in July 2014 in Brazzaville and has been identified as a violation to be monitored in the implementation of the agreement.

Recommendation

16. I urge the authorities of the Central African Republic to ensure that efforts to restore security and the rule of law take into account the prevention of sexual violence and that monitoring of the ceasefire and peace agreement explicitly reflects this consideration, in line with the joint communiqué of the Government and the United Nations on the prevention of and response to conflict-related sexual violence signed in December 2012. I further encourage the authorities to make the rapid response unit to combat sexual violence operational and to establish a special criminal court.

Colombia

17. In 2014, the Government of Colombia took important steps to address more than five decades of internal armed conflict in which sexual violence has been regarded as systematic, according to Colombian Constitutional Court Order 092. A landmark law on access to justice for victims (Law 1719), aimed at enhancing the status of sexual violence survivors so that they can receive reparations, psychosocial support and free medical care, was signed by President Juan Manuel Santos on 18 June 2014. Law 1719 explicitly recognizes that sexual violence can constitute a crime against humanity and that there can be no statute of limitations for such crimes. It includes offences that were previously omitted from the Penal Code, such as enforced sterilization, forced pregnancy and forced nudity, and adds specific reference to aggravating circumstances, for example when sexual violence is committed as a form of retaliation against or intimidation of human rights defenders.

18. Furthermore, in August 2014, Decree 1480 was adopted, establishing 25 May as the National Day for the Dignity of Women Victims of Sexual Violence caused by the Internal Armed Conflict, as a measure of collective reparations. In 2014, 2,081 women victims of "crimes against sexual freedom and integrity" received compensation, out of a total of 7,353 victims registered between 1985 and 2014. In November 2014, the Peace and Justice Tribunal in Bogotá delivered a milestone judgement in the case of *Salvatore Mancuso and others*, which addressed 175 cases of sexual violence, including kidnapping of women for the purpose of prostitution and sexual slavery, sexual assault, forced sterilization and forced abortion. The judgement ordered Mancuso and other paramilitary leaders to provide reparations to over 9,500 people, including victims of conflict-related sexual violence, and to issue a public apology.

19. Challenges persist in implementing progressive legal frameworks at the local level owing to institutional capacity constraints and the underreporting of cases, which is both a cause and a consequence of impunity for this crime. Of continuing concern, for example, is sexual exploitation in areas under the influence of non-State armed groups or groups that have emerged from the process of demobilization. According to official data from the Office of the Ombudsman, post-demobilization groups and other local armed elements have been identified as the main source of threat, followed by guerrilla groups, namely the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP) and the Ejército de Liberación Nacional (ELN). Members of the Colombian armed forces were also identified as perpetrators in some instances, such cases being addressed by the Ministry of Defence pursuant to its zero-tolerance policy.

20. Reports indicate that sexual violence has been used by non-State armed groups as a strategy to assert social control and to intimidate civilians, in particular women leaders and human rights defenders. It has also been employed as part of extortion strategies, with women who are unable to pay being subjected to sexual violence to set an example for others. Women living in close proximity to illegal mining settlements controlled by armed groups are at heightened risk of sexual exploitation, forced prostitution and trafficking. According to the Office of the Ombudsman, there have been cases of targeted sexual assault against women's rights defenders who raise their voices in support of land restitution. Conflict-related sexual violence remains a driver of displacement in Colombia, disproportionately affecting ethnic minorities in remote rural areas. Sexual violence committed against lesbian, gay, bisexual, transgender and intersex individuals, as a form of "corrective violence" or to "cleanse the population", has caused many to flee areas under the influence of armed groups.

21. Other noteworthy developments include the participation of survivors of sexual violence in the peace talks held in Havana, as part of a group of 60 victims that addressed the negotiations. Following the creation of a "gender subcommission" in September 2014, leaders of women's rights and sexual diversity organizations also participated in the talks. As a result of both exercises, conflict-related sexual violence has been raised at the negotiations by both survivors and stakeholders; this is an innovation that not been seen in any prior peace process.

Recommendation

22. I commend the Government of Colombia for the progress made to date and its collaboration with the United Nations, including through the visit of my Special Representative on Sexual Violence in Conflict in March 2015. I encourage the authorities to implement Law 1719 and continue to prosecute cases of sexual violence committed during the conflict to ensure that survivors receive justice and receive reparations. Conflict-related sexual violence should continue to be addressed in the Havana peace talks, as well as in the resulting accords and transitional justice mechanisms. Particular attention should be paid to groups that face additional barriers to justice such as ethnic minorities, women in rural areas, children, lesbian, gay, bisexual, transgender and intersex individuals and women abused within the ranks of armed groups. I encourage the Government to scale up its protection measures and share its good practices with other conflict-affected countries.

Democratic Republic of the Congo

23. Unprecedented steps were taken by the Government of the Democratic Republic of the Congo in 2014, including the prosecution of high-ranking army officers and the payment of reparations to survivors of conflict-related sexual violence. At the same time, the year under review was marked by a resurgence of violence by armed groups, including an increase in rape and forced displacement. From January to September 2014, the United Nations Population Fund (UNFPA) recorded 11,769 cases of sexual and gender-based violence in the provinces of North Kivu, South Kivu, Orientale, Katanga and Maniema; 39 per cent of these cases were considered to be directly related to the dynamics of conflict, perpetrated by armed individuals. As in 2013, North Kivu and Orientale remain the provinces most affected by conflict-related sexual violence, with 42 per cent of all incidents taking place in Orientale. During the same period, the United Nations confirmed 698 cases

of conflict-related sexual violence affecting 361 women, 332 girls, 3 men and 2 boys. In 31 per cent of these cases, the perpetrators were members of government security forces, with members of the armed forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo) responsible for 201 incidents, the national police implicated in 157 incidents and the national intelligence agency responsible for 2 cases. Investigations into abuses committed by members of the armed forces in the course of military operations against the Alliance des patriotes pour un Congo libre et souverain in Masisi territory between February and April 2014 found that rape had been used to punish members of the Hunde population, who were perceived to support the Alliance; at least 20 women were raped by members of regiments 804 and 813.

24. Violations committed by armed groups represent 69 per cent of all confirmed cases of conflict-related sexual violence. The main perpetrator, Mai-Mai Simba/Morgan, was identified as responsible for 117 rapes. Other groups bearing responsibility for conflict-related sexual violence in areas under their control include the Front de résistance patriotique de l'Ituri, the Forces démocratiques de libération du Rwanda, the Raia Mutomboki, Nyatura, the Alliance des patriotes pour un Congo libre et souverain, Mai-Mai Simba/Lumumba and other Mai-Mai groups. In Orientale province, Mai-Mai Simba/Morgan continued to use sexual violence to spread fear and also compelled civilians to undertake forced labour in mining areas. In February 2014, reports of rape, sexual slavery and forced pregnancy targeting women because of their ethnicity surfaced in Katanga province, committed by both Batwa and Baluba armed men to humiliate members of the opposing group. The internally displaced population remains particularly vulnerable to conflict-related sexual violence in the context of such ethnic clashes, the Office of the United Nations High Commissioner for Refugees (UNHCR) having documented 2,343 alleged incidents.

25. On 14 July 2014, President Kabila appointed a Personal Representative on Sexual Violence and Child Recruitment, Jeanine Mabunda Lioko. From 28 August to 1 September, my Special Representative visited the Democratic Republic of the Congo to attend the launch of the armed forces action plan against sexual violence and on 29 November, a ministerial order was issued to mark the creation of a national commission to oversee the implementation of the plan. In 2014, military tribunals convicted 135 individuals, including 76 members of the armed forces, 41 members of the national police and 18 members of armed groups, of sexual violence crimes. On 5 May, the military court in Goma concluded the trial of the persons accused in the Minova mass rape incident in 2012. Of the 39 members of the armed forces who had been charged with sexual violence, the court convicted 2 of rape. Also during the reporting period, the trials of General Jerome Kakwavu and Lieutenant Colonel Bedi Mobuli Engangela (alias "Colonel 106") were concluded. General Kakwavu was sentenced to 10 years' imprisonment for the war crimes of rape, murder and torture and "Colonel 106" was sentenced to life imprisonment for crimes against humanity, including rape and sexual slavery. These convictions mark a milestone in efforts to hold high-ranking officers to account. In 2014, 30 victims of the 2003 mass rape in Songo Mboyo, Equateur province, received financial compensation from the Government: 29 victims received the equivalent of US$ 5,000 as compensation for rape and US$ 200 for looted property. The mother of one of the victims who died from complications of rape received the equivalent

of US$ 10,000. These compensation payments represent a breakthrough in the administration of justice.

26. Rape remains the predominant form of sexual and gender-based violence reported by survivors who seek services (98 per cent). Medical, psychosocial and legal support is only available in and around provincial capitals. In isolated areas, where the justice system is weak or absent, civilians may resort to informal practices between the families of the perpetrator and the victim to "close" the case, including marriage. The United Nations continues to support the implementation of the national strategy on sexual and gender-based violence. For example, the United Nations Children's Fund (UNICEF) has prioritized access to psychosocial, economic and educational support for children born as a result of rape and their mothers. UNFPA has supplied treatment centres with essential equipment and post-rape kits. UNHCR has expanded to South Kivu its Safe Access to Fuel and Energy (SAFE) project, under which sustainable cooking fuels and alternative energy are provided, following a successful pilot in North Kivu where it helped to reduce the risk of sexual violence faced by displaced women collecting firewood and water. The Joint Human Rights Office of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) established seven legal clinics, creating links between medical, psychosocial and legal support. As a result of this integrated approach, 60 per cent of clients chose to pursue a legal complaint.

Recommendation

27. I urge the Government of the Democratic Republic of the Congo to ensure full implementation of the armed forces action plan against sexual violence, to systematically bring perpetrators to justice and to deliver reparations to victims, including payment of outstanding compensation awards. I call on donors and the United Nations system to support the Government in its efforts and to pay increased attention to neglected areas, including unregulated mining regions.

Iraq

28. Armed violence in Iraq resulted in more than 15,000 fatalities among civilians and security personnel in 2014, making the reporting period one of the deadliest years on record since 2003. On 29 June 2014, ISIL declared an "Islamic caliphate" extending from Aleppo province in the Syrian Arab Republic to Diyala province in Iraq. Sexual violence has been used as part of the ISIL strategy of spreading terror, persecuting ethnic and religious minorities and suppressing communities that oppose its ideology. Following its seizure of Mosul and surrounding areas in June 2014, ISIL instituted a pattern of sexual violence, slavery, abduction and human trafficking; three cases of forced abortion perpetrated because of the ethnicity of the victim were documented by the Government. Sexual and reproductive health services, trauma counselling and reintegration support are severely limited.[2]

29. Many of the women and girls who have fled from ISIL-controlled areas report brutal physical and sexual assaults, including sexual slavery and forced marriage. Young women are being "sold" in open markets or "given" to ISIL fighters as gifts.

[2] In February 2015, Yezidi spiritual leader Baba Sheikh called for his community to support, not ostracize, women who have been abducted and released by ISIL.

First-hand accounts from internally displaced persons confirm reports of systematic sexual violence, particularly against Yezidi women and girls, with most victims aged between 8 and 35 years. The United Nations Assistance Mission in Iraq (UNAMI) notes that ISIL purportedly issued a "regulation" setting out the prices to be paid for Yezidi and Christian women and girls, the amounts varying according to age.[3] Indeed, the promise of sexual access to women and girls has been used in ISIL propaganda materials as part of its recruitment strategy. UNAMI reported that as of 6 November 2014, approximately 2,500 women and children, most of them members of ethnic and religious minorities, remained in captivity with ISIL in northern Iraq. My Special Representative on Sexual Violence in Conflict, noting that an estimated 1,500 civilians may have been forced into sexual slavery, has condemned the abduction and detention of Yezidi, Christian, Turkomen and Shabak women and children.

30. Attacks on women and girls as well as lesbian, gay, bisexual, transgender and intersex individuals have taken place as a form of "moral cleansing" by armed groups. Concern has also been expressed about incidents of sexual torture of women and men in Iraqi detention facilities. On 6 February 2014, Iraq became the first nation in the Arab world to adopt a national action plan for the implementation of Security Council resolution 1325 (2000) that includes elements addressing sexual violence.

Recommendation

31. I commend the Government of Iraq for its national action plan for the implementation of Security Council resolution 1325 (2000) and urge its swift implementation, including by training its security forces to ensure respect for women's rights. Programmes to support the social reintegration of women and girls released from captivity by ISIL are urgently needed, as is community-based medical and psychological care. The capacity of the United Nations system should be enhanced through the deployment of Women's Protection Advisers or equivalent specialists.

Libya

32. The last six months of 2014 witnessed the most serious outbreak of armed conflict in Tripoli, Benghazi and elsewhere across Libya since the 2011 revolution. The majority of the international community withdrew temporarily from the country, which limited the provision of essential services to survivors of sexual violence as well as access to verified information. Women have been particularly affected, with a number of female activists targeted for assassination. The deteriorating security situation has increased fears of sexual violence, which has been reported to be a driver of displacement to neighbouring countries. Growing numbers of asylum seekers, refugees and migrants attempted to reach Europe from Libya by sea, with sexual violence against women and girls reported to have taken place in this context. Extremist activity in Libya is a source of serious concern given regional trends regarding sexual violence committed by armed groups.

[3] ISIL justifies its actions in a pamphlet entitled "Questions and answers on taking captives and slaves", 3 December 2014.

33. Attacks on courthouses and members of the judiciary have halted the work of the justice system in Benghazi, Derna, Sirte and Tripoli. The United Nations Support Mission in Libya (UNSMIL) is intensifying efforts to facilitate a political dialogue among key stakeholders, which provides an opportunity to address sexual violence. On 23 February, the Council of Ministers issued Decree No. 119 recognizing victims of sexual violence as victims of war, which paves the way for them to access redress. In June 2014, the Ministry of Justice adopted Resolution 904, which established a reparations fund for sexual violence victims. One of the first of its kind globally, this fund will require specialized technical support.

Recommendation

34. I urge the national authorities in Libya to implement Decree No. 119 and Resolution 904 of 2014 to ensure redress for all victims, including those affected by the current conflict, through the establishment of multisectoral services and the adoption of legislation to categorically prohibit sexual violence.

Mali

35. The prevailing insecurity in the north, combined with factors such as fear of reprisals and lack of protection for victims, witnesses and the organizations that support them, has severely limited reporting of sexual violence in Mali. At the same time, the increasing trend of attacks on humanitarian workers (23 incidents were reported in 2014) has further hampered the response. Moreover, in recent months, armed groups have splintered and multiplied, making it difficult to identify clear chains of command for the purpose of engaging in a dialogue on protection.

36. In 2014, the United Nations recorded 90 allegations of conflict-related sexual violence, 69 rapes and 21 sexual assaults. All these cases occurred in the regions of Gao and Timbuktu and all involved female victims, 52 women and 38 girls. Twelve of the incidents have been attributed to the Mouvement national de libération de l'Azawad and 5 to the Forces armées maliennes, with the remaining cases linked to armed elements that could not be identified. Allegations of sexual violence spiked following the deployment of the Groupe tactique inter armé "Débo", a new contingent of the armed forces, in Timbuktu in September 2014. Displaced women face an elevated risk of sexual violence owing to the lack of community-based protection mechanisms and the proximity of armed groups to population centres, making it particularly dangerous to access isolated water points and forests.

37. Progress in the investigation and prosecution of sexual violence has been limited owing to death threats against local monitors and the limited capacity of national justice institutions. In November 2014, non-governmental organizations filed 104 criminal complaints against armed groups for incidents of conflict-related sexual violence against women and girls that took place in 2012 and 2013. These incidents were filed as war crimes and crimes against humanity, and have been attributed to members of the Mouvement national de libération de l'Azawad, Ansar Dine and the Movement for Unity and Jihad in West Africa. The United Nations reports that 25 children were born as a result of conflict-related rapes that took place in 2012 and 2013, 17 in Gao, 4 in Mopti and 4 in Bamako. Malian law prohibits abortion and international adoption, which limits the coping mechanisms and options available to survivors. In the majority of cases, these women are socially

stigmatized and abandoned by their husbands and families, leaving them in extreme poverty. Their children often face abandonment and death.

38. The draft agreement on peace and reconciliation in Mali includes language on conflict-related sexual violence in connection with justice and reconciliation, but fails to address the issue comprehensively. Implementation of the confidence-building measures contained in the preliminary peace agreement signed in Ouagadougou in June regrettably resulted in the release of several individuals linked to human rights violations, including conflict-related sexual violence. Following their release, civil society actors and survivors expressed fear of reprisals and a loss of confidence in the administration of justice. In Timbuktu, staff of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) interviewed victims of forced marriage to fighters affiliated with Al-Qaida in the Islamic Maghreb and Ansar Dine, which occurred when these groups occupied the city in 2012. One of the prisoners granted early release, Houka Ag Alhousseini, officiated at the forced marriages.

39. The Government and the United Nations country team have worked together to train the national army, the police and the gendarmerie on conflict-related sexual violence. In September 2014, the Joint Commander in Timbuktu of the Mouvement arab de l'Azawad-Mouvement national de liberation de l'Azawad signed a military directive that calls, inter alia, for the elimination of sexual violence against children. The Malian Police Service has established a national hotline. Strategic advocacy by the gender-based violence subcluster to raise public awareness included 48,000 radio broadcasts in all local languages, reaching 29,060 Malians. The United Nations system has also adapted the early warning indicators of conflict-related sexual violence to the local context to enhance prevention. The United Nations country team has supported health-care providers to improve the clinical management of rape. In Mopti and Bamako, "safe spaces" have been established for women and girls, including those forcibly displaced from the north.

Recommendation

40. I urge the Government of Mali, with support from United Nations Action against Sexual Violence in Conflict, to develop a comprehensive national strategy to combat sexual and gender-based violence and to ensure the safety of humanitarian workers so that services can reach remote areas. I further call on all parties to ensure that conflict-related sexual violence is addressed in the inter-Malian dialogue and that perpetrators of sexual violence do not benefit from amnesty or early release.

Myanmar

41. Information verified by the United Nations indicates that sexual violence remains widespread in Kachin State, where armed conflict continues, as well as in northern Shan and Rakhine States and areas subject to ceasefire agreements in Chin State and the south-east of the country. Intercommunal fighting in Rakhine State has placed Muslim women in particular in a precarious position owing to restrictions on movement and lack of services. Recent reports by women's groups indicate that sexual violence perpetrated by members of the armed forces continues, with 14 cases of gang rape and attempted sexual assault documented between January and June 2014. Reports further suggest that the resurgence of conflict and resulting civilian displacements have heightened the risk of sexual violence. Forced

marriages of women and girls have been reported as well as cross-border trafficking for the purpose of sexual exploitation, exacerbated by poverty and the breakdown of community structures. Since early 2014, there has been a marked increase in dangerous migration practices and a surge in the trafficking of adolescent girls as well as an increase in the incidence of sexual violence in areas affected by the crisis. However, reporting of such cases is impeded by gaps in service coverage as well as a requirement that medical care providers share information with the authorities, which compromises confidentiality. Factors exacerbating sexual violence in ethnic areas include the protracted conflict over land and resources, the wide availability of illegal drugs and the close proximity to civilian population centres and internally displaced persons camps of military bases of all the parties to conflict.

42. The transition process in Myanmar has presented an opportunity for advancing women's rights and the Government's endorsement of the Declaration of Commitment to End Sexual Violence in Conflict in June 2014 and the development of specific legislation on violence against women are promising signs. Nevertheless, during 2014 there continued to be a high level of impunity for conflict-related sexual violence perpetrated by State actors and a lack of transparency in military courts. While the Government has adopted a zero-tolerance policy for sexual misconduct by its military personnel, successive Special Rapporteurs of the Human Rights Council on the situation of human rights in Myanmar have recommended that the Constitution be amended to ensure that security forces are subject to the rule of law and civilian oversight. In 2014, the Government prosecuted two perpetrators of rape who were members of the military: one Tatmadaw soldier received a 13-year sentence for the rape of a 14-year-old girl and the other was sentenced to life imprisonment for rape. While these are promising first steps, legal recourse needs to be available uniformly and systematically and must become a better-known part of an overall culture of redress in Myanmar. For example, the family of a 10-year-old girl who was raped by a soldier in early 2015 was induced by the army to accept a financial settlement and to sign a statement that they would not prosecute the offender.

Recommendation

43. I urge the Government of Myanmar to continue with its reform agenda and, in the process, take practical and timely actions to protect and support survivors of conflict-related sexual violence and to ensure that security personnel accused of such crimes are prosecuted. Sexual violence should be an element in all ceasefire and peace negotiations, excluded from the scope of amnesty provisions and addressed in transitional justice processes. It is critical that women be able to participate consistently in and influence these processes.

Somalia

44. Sexual violence remains widespread across Somalia, notably in the south central regions, with increases in frequency consistently observed during military offensives, particularly at checkpoints. According to the Gender-Based Violence Information Management System, 2,891 incidents of gender-based violence were reported between January and August 2014 in Mogadishu alone. Of these, 28 per cent were cases of rape and 9 per cent were sexual assaults. These numbers are regarded as a gross underestimation, as fear of stigma and reprisals inhibits reporting. Most reported cases (81 per cent) involved internally displaced persons,

who number more than 1 million across the country, with members of minority clans exposed to greatest risk. Armed militias allied with the Government and clan militias are also accused of forcing girls into marriage; 46 cases of forced marriage have been confirmed. Interviews with women's groups in the newly recovered area of Hudur, in the Bakool region, indicate that forced marriage was common, as it was in other areas under the control of Al-Shabaab. Girls forced to marry Al-Shabaab fighters are often abandoned during military offensives, when the force retreats or when they are deemed to be "too old".

45. Survivors are frequently forced to marry their rapists as a form of "restitution" ordered by customary courts. In the Puntland region, many women and girls subjected to sexual violence in displacement camps avoid pursuing legal action for fear of reprisals by their attackers. In the few cases where survivors choose to report, they are required to pay fees to the police to open a case file and to cover the costs of feeding the accused in detention. There have also been periodic reports of girls raped by members of the national army and police, which erodes trust in the legal system: data from the Gender-Based Violence Information Management System indicate that the majority of survivors decline offers of referral to legal assistance. Women and girls who become pregnant as a result of rape are often further victimized by their families and communities. Health-care facilities are limited, owing to the volatile security situation and restricted humanitarian access.

46. The main perpetrators of sexual violence are unidentified armed men, though there are also reports implicating the Somali National Army and the Somali police force, in addition to Al-Shabaab. During the reporting period, military courts sentenced a number of Somali National Army soldiers to lengthy terms of imprisonment and to capital punishment for rape. While efforts to counter impunity are critical, these trials have raised serious due-process concerns. Troops from the African Union Mission in Somalia (AMISOM) have been accused of sexual exploitation and abuse and the African Union has taken mitigation measures in response.[4] In May 2014, the Ministry of Women and Human Rights Development, with support from the United Nations, developed a national action plan to combat sexual violence in conflict. The Government also drafted a sexual offences bill. The United Nations is supporting efforts to ensure that domestic laws align with international standards and that initiatives to address conflict-related sexual violence are integrated into rule of law programming for the police and justice sector.

Recommendation

47. I reiterate my call to the Federal Government of Somalia to implement the commitments made under the joint communiqué of 7 May 2013 and its national action plan to combat sexual violence in conflict, including specific plans for the army and the police. I encourage the adoption of a sexual offences bill as a matter of priority.

[4] A workshop was held in October with AMISOM leadership to strengthen accountability measures; an African Union investigation team was deployed to Mogadishu in November; and the African Union Special Envoy on Women, Peace and Security, Binta Diop, visited Somalia to reaffirm commitment to the zero-tolerance policy. The African Union has yet to make its report on this incident public.

South Sudan

48. Sexual violence remains prevalent in South Sudan, exacerbated by impunity and a militarized society in which gender inequality is pronounced. Factors such as forced disarmament, the circulation of illegal arms, mass displacement, cattle raiding, intercommunal violence and food insecurity have increased the vulnerability of women and girls to sexual violence. Such violence is, however, trivialized by law enforcement officials and the community, with survivors often forced to marry perpetrators as a "remedy". Moreover, medical, legal and psychosocial services are available only in limited areas and some facilities are deliberately targeted during military attacks, particularly in Jonglei, Unity and Upper Nile States. The scale and severity of sexual violence increased with the outbreak of the current conflict between the Sudan People's Liberation Army (SPLA) and the Sudan People's Liberation Movement/Army in Opposition on 15 December 2013. Repeated offensives and counteroffensives have led to cycles of revenge attacks and rapes, often ethnically motivated. Armed elements have also raped women from neighbouring countries because of their nationalities and alleged alliances with parties to the conflict. During the reporting period, 167 incidents of conflict-related sexual violence affecting 236 persons were documented, including 75 incidents affecting 116 minors. Women and girls were targeted in 95 per cent of these cases.

49. Incidents of sexual violence have been reported in all 10 states to be a part of military tactics employed by both parties, mainly in Unity, Upper Nile, Lakes, Jonglei, Central, Eastern and Western Equatoria and Western Bahr el Ghazal States. According to a report released by the United Nations Mission in South Sudan (UNMISS) on 8 May 2014, there was credible evidence to suggest that acts of sexual violence committed in the context of the conflict could amount to crimes against humanity. Documented forms of sexual violence include rape, gang rape, sexual slavery, abduction, castration, forced nudity and forced abortion. At least 31 victims died as a result of rape; some survivors were impregnated, mutilated or infected with HIV and other sexually transmitted diseases. More than 200 allegations of abductions of women and girls taken as "wives" and/or for the purposes of sexual slavery by both parties to the conflict are under investigation. Other trends, including the rape and gang rape of women in and around protection of civilians sites in Unity and Jonglei States by soldiers, have an ethnic dimension that mirrors the divisions of the conflict. Unidentified uniformed men have also repeatedly harassed and raped women and girls leaving the sites to travel to markets, water points and firewood collection areas. UNMISS has taken measures to mitigate these threats, including patrolling high-risk zones and facilitating the supply of firewood and fuel. United Nations agencies, including UNFPA, UNICEF and UNHCR, have made efforts to ensure that women have a voice in the management of protection of civilians sites, as well as distributing dignity kits and installing solar lighting in isolated areas.

50. Outside the dynamics of the current conflict, sexual violence continues to be reported during intercommunal clashes, particularly in Lakes State where incidents of rape, including gang rape, have been perpetrated by SPLA soldiers, Dinka youth and armed cattle keepers, including elements of the White Army. Members of the South Sudan National Police Service, the Justice and Equality Movement and Nuer deserters from SPLA and the Lord's Resistance Army are among the perpetrators. Both major parties to the conflict that erupted in December 2013 have committed to

refrain from "any acts of rape, sexual abuse and torture" in the cessation of hostilities agreement signed on 23 January 2014. The Government signed a joint communiqué to address conflict-related sexual violence with my Special Representative on Sexual Violence in Conflict on 11 October 2014 during her visit to South Sudan. This agreement includes such measures as the issuance and enforcement of clear orders through military and police chains of command prohibiting sexual violence, accountability mechanisms, exclusion of perpetrators from the security forces and from amnesty provisions and enhanced multisectoral services for survivors. In December 2014, opposition leader Riek Machar issued a communiqué in which he committed to undertake similar measures.

Recommendation

51. I urge the parties to the conflict in South Sudan to adopt action plans to implement the commitments made under their respective communiqués. I call upon the Government of South Sudan to address the negative impact of customary law on women's rights and to reflect international human rights standards in national law. I also encourage the African Union to make public and act upon the report of its Commission of Inquiry on South Sudan.

Sudan (Darfur)

52. Conflict-related sexual violence, including rape, attempted rape, abduction for the purposes of sexual exploitation, indecent assault, sexual humiliation and serious injuries or killings following rape, remains a dominant feature of the conflict in Darfur. In 2014, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) documented 117 incidents involving 206 victims, as compared with 149 cases involving 273 victims in 2013. Victims ranged in age from 4 to 70 years; 204 of the victims were female and 2 were male (boys). In two incidents, six women were killed in connection with attempted rape and 30 per cent of the recorded rape survivors sustained serious physical injuries. The United Nations also documented one case of a child conceived following rape, which resulted in the marriage of the victim (aged 14) to the perpetrator as a form of traditional settlement. These numbers must be interpreted against the backdrop of a highly insecure environment beset by access restrictions.

53. Serious allegations were levelled against the Sudanese armed forces regarding a mass rape of some 200 women and girls in Tabit, north-east of El Fasher, North Darfur, over a period of 36 hours beginning on 30 October 2014. Despite several attempts by UNAMID to reach the area, government authorities granted access on only one occasion (9 November). The presence of Sudanese armed forces and members of military intelligence, observed during interviews with members of the community, may have influenced their reticence. The Government subsequently launched its own investigation and the Special Prosecutor for Darfur, who visited amid a large government presence, reported to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in December that the allegations could not be substantiated.

54. The highest number of cases of sexual violence was recorded in January, February, April and August, corresponding to periods of massive civilian displacement driven by military and search operations launched by the Government against villages suspected of sympathizing with opposition groups, as well as during

clashes between government forces and armed groups. In South Darfur, on 27 and 28 February, in 10 separate incidents, women were subjected to sexual violence as they fled for safety following attacks on Hijer, Um Gunya and surrounding villages by armed elements believed to be members of the Rapid Support Forces. Several other incidents of sexual violence were reportedly committed by members of these forces following their deployment to Darfur.

55. Most sexual assaults (71 per cent), affecting 147 victims, occurred while women and girls were carrying out essential sustenance and livelihood activities, such as farming and the collection of grass and firewood, often in isolated areas. Twenty-eight victims were attacked in their homes, inside or in the vicinity of camps for internally displaced persons. The proliferation of small arms in such settlements, as well as in towns and villages, contributed to the prevalence of sexual violence: in 60 per cent of all reported cases, involving 119 victims, the alleged perpetrator(s) were armed. The majority of perpetrators were described by victims and witnesses as being armed men from Arab tribes targeting non-Arab women, with accounts indicating that the perpetrators sought to humiliate victims and their families to reinforce a sense of powerlessness. In 27 cases, the alleged perpetrators were identified as members of the Government's security and law enforcement apparatus.

56. Of 63 incidents reported to the Sudanese police, representing 53 per cent of the cases documented, UNAMID has seen investigations initiated in 20 cases to date, with 14 arrests made and, in 2 cases, trials resulting in convictions completed. In terms of legal redress, underreporting of cases, owing to the limited reach of law enforcement and justice institutions, is the first hurdle in the fight against impunity. Of the documented cases, apart from the 63 cases that were reported, 44 cases (38 per cent) were not reported and 3 cases (5 per cent) were settled in a traditional manner. Even when cases are reported, the authorities generally fail to take action to bring perpetrators to justice. In 12 cases (10 per cent), victims pointed to the absence of police as a reason for non-reporting; in 16 cases (14 per cent), victims cited a lack of trust and confidence in the authorities; and in 6 cases (5 per cent) victims said that they did not report the incident because of the social stigma associated with sexual violence and for fear of reprisal attacks by the alleged perpetrator. For example, on 2 March, in El Geneina, West Darfur, UNAMID monitored the trial of a man accused of stabbing a woman to death on 25 September 2013 for having filed a case of attempted rape against him. Moreover, where cases concern members of the national security forces, immunity from prosecution for acts committed in the course of operational duties has provided a basis for delaying and denying justice. On 18 September, a Sudanese court in El Fasher convicted a man for raping a UNAMID police officer on 10 April 2014.

57. In a series of constructive steps, the Sudan has amended section 149 of its Criminal Act (1991) to more clearly define the crime of rape and align it more closely with international standards. The Minister of the Interior committed to deploy at least six women police investigators to West Darfur to investigate sexual violence cases. In East Darfur, a state committee on gender-based violence was established in March. The Government has conducted joint protection patrols with UNAMID in East and Central Darfur. In South Darfur, a joint Government of the Sudan/United Nations early warning and intervention committee was established in December and is expected to identify imminent threats to civilians, including sexual violence, and measures to mitigate them. The early-warning indicators of conflict-

related sexual violence have been adapted to the situation in Darfur and proven useful in informing such strategies.

58. The United Nations has also provided technical and financial support to Sudanese institutions, including the state committees on gender-based violence. Community police trained by UNAMID have played an important role in improving the protection of internally displaced persons. United Nations agencies have trained medical personnel on the clinical management of rape, with UNFPA making post-exposure prophylaxis kits available to victims via the Ministry of Health. UNFPA further supported the construction and rehabilitation of women's centres across Darfur to enable women to access psychosocial support in a context where services have been disrupted or rendered inaccessible.

Recommendation

59. I call upon the Government of the Sudan to grant the United Nations and its humanitarian partners unfettered access for monitoring and the provision of assistance to people in need in Darfur. Given that there has been grave concern over sexual violence in Darfur for more than a decade, I encourage the Government to engage with my Special Representative on Sexual Violence in Conflict to develop a framework of cooperation to address the issue comprehensively.

Syrian Arab Republic

60. Sexual violence against women, girls, men and boys has been a characteristic of the Syrian conflict from its inception. It has been most commonly reported in the context of house searches, hostage-taking, in detention and at checkpoints. In interviews with female refugees in neighbouring countries, fear of rape is cited as a major factor influencing their flight from the Syrian Arab Republic. However, it is extremely difficult to obtain reliable data on conflict-related sexual violence owing to prevailing insecurity, the fear of stigma and reprisals, the lack of specialized, safe and confidential services and challenges in accessing services where they are available.

61. Since mid-2014, there has been a significant increase in the number of reported cases of sexual violence perpetrated by terrorist groups, in particular ISIL. During its August 2014 attack on Sinjar, in northern Iraq, ISIL abducted hundreds of Yezidi women and girls. Some of the abductees were taken into the Syrian Arab Republic and "sold" in markets across Ar-Raqqa, to be used as sex slaves. Reports also indicate that forced marriage to foreign fighters has become increasingly common in territory controlled by ISIL. This phenomenon has also been observed in internally displaced persons camps and in neighbouring countries, where refugee communities have resorted to measures such as child marriage, removal from school and physical confinement to "protect" daughters and wives. In many countries of the region, the penal code includes marriage as a form of "reparation" for rape survivors, and some settings have seen a significant increase in polygamy since the crisis. On 27 April, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) launched a report, "We just keep silent", on gender-based violence among Syrian refugees in the Kurdistan region of Iraq. The report cited increased levels of sexual harassment and commercial sex in and around camps. Similar reports were received concerning the plight of Syrian refugees in neighbouring countries. Women and girls, as well as lesbian, gay, bisexual,

transgender and intersex individuals, have been subjected to sexual assault and harassment at checkpoints controlled by armed groups and in the context of detention.[5]

62. In 2014, the United Nations continued to receive reports of sexual violence committed by the armed forces of the Syrian Arab Republic, as well as by pro-Government militias. For example, the Independent International Commission of Inquiry on the Syrian Arab Republic reported that women, men and children have been subjected to rape and sexual humiliation by members of pro-Government forces during arrest and detention (see A/HRC/28/69). The United Nations has supported the Ministry of Social Affairs to establish a Women and Child Protection Unit to respond to sexual and gender-based violence.

Recommendation

63. I acknowledge the Government's invitation to my Special Representative to visit the Syrian Arab Republic and call upon the authorities, in the context of such a visit, to agree on specific measures to prevent sexual violence, including by members of the security forces. I condemn the use of sexual violence by ISIL and all other parties listed in the annex to the present report and call on them to cease such violations immediately and allow unfettered access for the delivery of humanitarian assistance.

Yemen

64. The escalation of armed conflict, political instability and lawlessness in Yemen led to the internal displacement of 148,108 individuals in the course of 2014. The majority of those displaced were women and children, who faced increased vulnerability to sexual and gender-based violence. A marked increase in violence against women has been observed in conflict-affected areas, with the most prevalent manifestations being rape, sexual assault and early marriage. A disturbing link exists between the presence of armed groups and an increase in early and forced marriage, resulting in the sexual abuse of some of the poorest and most vulnerable girls in society. Many of these girls become pregnant and some reported having been abandoned, along with their children, when fighters fled from government forces in the course of military operations.

65. Yemen continues to attract thousands of refugees fleeing conflict in the Horn of Africa and the Syrian Arab Republic. UNHCR has reported sexual violence by trafficking gangs, often affecting women who may already have fled the trauma of conflict-related sexual violence in their country of origin. Sexual violence is also reportedly perpetrated upon arrival, particularly along the Red Sea coast, where smugglers and traffickers kidnap migrants and hold them for ransom. Few medical professionals in Yemen are trained to provide support to sexual violence survivors and there are no national guidelines on the clinical management of rape. Efforts to pursue justice are complicated by the lack of a clear legal definition of sexual violence and the codification of rape as adultery in Yemeni law, which shields the perpetrators at the expense of the victims.

[5] On 30 April 2014, the National Coalition of Syrian Revolution and Opposition Forces and the Free Syrian Army adopted a communiqué, in which they commit to issue command orders to eliminate sexual violence, investigate abuses and designate a high-level representative to oversee implementation.

Recommendation

66. I urge the authorities in Yemen to undertake legislative reform as a basis for addressing impunity for sexual violence, ensuring the provision of services for survivors and aligning the minimum legal age of marriage with international standards. I further call on the authorities to engage with local community and faith-based leaders to address sexual and gender-based violence and discriminatory social norms.

B. Addressing crimes of sexual violence in post-conflict settings

Bosnia and Herzegovina

67. Twenty years after the end of the war, conflict-related sexual violence remains a sensitive political issue, with slow progress made in establishing a comprehensive support system for survivors. The Government has recently expressed its intention to address conflict-related sexual violence, but has focused primarily on prosecution rather than the broad range of needs. The absence of services extends to children born of wartime rape, who face particular risk of stigma, abandonment, rejection and low socioeconomic status. The stigmatization and economic marginalization of rape survivors themselves remains a concern. The United Nations country team in Bosnia and Herzegovina has launched a joint project to tackle the legacy of conflict-related sexual violence. This project seeks to improve redress for survivors by mapping needs and capacities, improving access to justice and services and reducing stigma. The Peace Support Operations Training Centre, with support from UN-Women, continues to provide predeployment training on conflict-related sexual violence for armed forces in Bosnia and Herzegovina and the region. The inclusion of a specific objective on conflict-related sexual violence in the second national action plan for the implementation of Security Council resolution 1325 (2000) is a positive development that lays the foundations for enhanced service delivery to survivors.

Recommendation

68. I urge the relevant authorities in Bosnia and Herzegovina to harmonize legislation and policies so that the rights of survivors of conflict-related sexual violence to reparations are consistently recognized and to allocate a specific budget for this purpose. I further call upon the authorities to protect and support survivors participating in judicial proceedings through, inter alia, referrals to free legal aid, psychosocial and health services, as well as economic empowerment programmes.

Côte d'Ivoire

69. In 2014, the United Nations Operation in Côte d'Ivoire (UNOCI) documented 325 cases of rape, with 230 of the incidents committed against minors aged between 2 and 17 years, including 1 boy. Fifty-seven of the incidents were gang rapes, which tend to be committed during carjackings or in private homes during armed robberies. The presence of criminal elements across the country, combined with incomplete disarmament, demobilization and reintegration, weak law enforcement and the absence of a regularly functioning high court, puts women and children at risk. The risks are greatest in the western and northern parts of the country, which have the highest concentrations of ex-combatants. For example, sexual violence

remains high in Bouaké, where many ex-combatants who are motorcycle, bus and taxi drivers have been involved in robbery and rape at gunpoint. The proliferation of small arms and light weapons exacerbates insecurity. The national disarmament, demobilization and reintegration process, with support from UNOCI, has integrated gender training into its resocialization camp for former combatants in an attempt to mitigate the threat of sexual violence. During the period under review, 20 members of the Forces républicaines de Côte d'Ivoire (FRCI), one policeman and nine ex-combatants were reportedly involved in incidents of rape, though only three have since been arrested.

70. Where alleged perpetrators have been prosecuted, sexual violence offences are often reclassified as indecent assault (*attentat à la pudeur*), a lesser charge, so that they can be processed promptly by first instance courts. Serious crimes are normally tried by criminal courts (*cours d'assises*); however, these courts are facing a severe backlog. In a positive development, on 18 March, the Ministry of Justice, Human Rights and Public Liberties issued ministerial circular 005 informing law enforcement officials that a medical certificate (which typically costs US$ 100) is no longer a prerequisite for opening a rape investigation. This removes a significant barrier to justice. Since February 2013, Côte d'Ivoire has embarked upon a process of legal reform, including expanding its restrictive definition of sexual violence (currently limited to rape) and clarifying the elements of sexual violence offences in order to harmonize its criminal and civil codes with international standards. In addition, the Government has drafted a specific law on the protection of victims and witnesses. The Dialogue, Truth and Reconciliation Commission submitted its report in December 2014, in which it documented grave violations committed between 1990 and 2011, including sexual violence, and recommended accountability measures.

71. On 21 July, FRCI established a committee of national experts on conflict-related sexual violence, recalling the Declaration of Commitment made at the Global Summit to End Sexual Violence in Conflict, held in London in June. This committee has developed an action plan for FRCI on addressing sexual violence. More than 900 members of FRCI have been trained on gender-based violence to date, as well as over 300 police officers and gendarmes. In November 2014, 20 women cadres from the national police participated in a seminar on female leadership organized by the United Nations police, which focused on strengthening their role in the fight against gender-based violence. The United Nations country team is also supporting the national police to establish specialized units and gender desks. In September 2014, the Government of Côte d'Ivoire officially launched a national strategy to combat gender-based violence, with support from United Nations Action against Sexual Violence in Conflict and coordinated by UNFPA.

Recommendation

72. I urge the Government of Côte d'Ivoire to ensure the effective implementation of its national strategy to combat gender-based violence and the action plan for FRCI, and call on the international community to support these efforts. It is critical to accelerate disarmament, demobilization and reintegration and strengthen law enforcement to ensure that ex-combatants who have been reintegrated into the transport sector do not pose a risk to women and girls who are reliant on those services. The Government and the international community must provide monitoring and awareness-raising to mitigate the possibility of a recurrence of sexual violence in the context of the presidential elections to be held in October 2015.

Liberia

73. Twelve years after the end of the civil war, sexual violence continues to present a significant threat to the physical security of women and children across Liberia. The social breakdown that occurred during 14 years of brutal conflict, in which sexual violence was rampant, has left a profound imprint on Liberian society, especially as the issue was not addressed during the peace process. The rape of minors is the most frequently reported incident of sexual and gender-based violence. Available information also points to a disturbing trend of increasing sexual violence committed by minors. According to official data from the Ministry of Gender, Children and Social Protection, in 2014 there were 1,392 incidents of sexual and gender-based violence nationwide, with the majority taking place in Montserrado county, where the most services and reporting structures exist. Of these, 626 were cases of rape, with 605 of the victims under 18. Nine "one-stop centres" recorded 1,162 cases, of which 965 were rapes, 27 were gang rapes and 85 were sexual assaults. The United Nations-Government of Liberia Joint Programme on Sexual and Gender-Based Violence, established in 2008 with support from United Nations Action against Sexual Violence in Conflict, has made commendable progress in strengthening the criminal justice system; building the capacity of health and psychosocial service providers as well as the police through the expansion of the Women and Child Protection Section of the Liberian national police; and raising awareness at community level to challenge harmful traditional beliefs and practices that perpetuate impunity and blame the victim. Regrettably, as a result of the Ebola virus epidemic, many sexual and gender-based violence treatment facilities have closed and are not prioritized for reopening.[6]

Recommendation

74. I call on the Government of Liberia to continue its critical efforts to combat sexual and gender-based violence including through the United Nations-Government of Liberia Joint Programme, and in the context of recovery from the Ebola virus epidemic.

Nepal

75. Survivors of sexual violence during Nepal's civil conflict have not yet been officially recognized as "conflict-affected persons", which limits their access to the Government's interim relief programme. As a result of their exclusion, there have been no dedicated services for survivors, though some support has been secured through peacebuilding and development projects. In terms of ongoing institutional reforms, there are as yet no safeguards to prevent individuals accused of human rights violations from being retained and promoted within the security forces. One of the key obstacles to addressing the legacy of conflict-related sexual violence in Nepal is the lack of comprehensive documentation on its scope and character. In April 2014, the Parliament of Nepal adopted the Act on the Commission on Investigation of Disappeared Persons, Truth and Reconciliation, 2071, which established two commissions: the Truth and Reconciliation Commission and the

[6] Anecdotal evidence suggests that sexual violence may have increased in Ebola-affected post-conflict settings such as Liberia and Sierra Leone, owing to the closure of social institutions, structures and schools, placing girls at heightened risk. At the same time, access to sexual and reproductive health services has drastically diminished.

Commission of Inquiry on Disappearances. The Act acknowledged rape and other forms of sexual violence as "serious violations of human rights". The Minister of Foreign Affairs participated in the Global Summit to End Sexual Violence in Conflict, where he stressed that Nepal had adopted a zero-tolerance policy on sexual and gender-based violence. Nevertheless, challenges to accessing justice remain. For example, the 35-day statute of limitations for the filing of a rape complaint has not yet been amended, despite the 2014 Supreme Court ruling that there should be no statute of limitations for international crimes.

Recommendation

76. I encourage the Government to ensure that survivors of conflict-related sexual violence are recognized under the law as "conflict victims", which will enable them to access services, judicial remedies and reparations. I further call on all parties involved in the transitional justice process to ensure that the rights and needs of survivors of sexual violence are addressed in institutional reforms and that these crimes are excluded from amnesties and statutes of limitations.

Sri Lanka

77. In the five years since the end of armed conflict in Sri Lanka, the Government has committed to supporting the resettlement and reintegration of civilians displaced by the violence and has made considerable progress in this regard. However, one of the major unaddressed issues is impunity for conflict-related sexual violence. The Government has adopted a zero-tolerance policy on sexual and gender-based violence and committed to take stringent action in response to such crimes, including discharging and prosecuting offenders from the security forces. However, there are indications that abduction, arbitrary detention, torture, rape and other forms of sexual violence have increased in the post-war period. Notably, Tamil women and girls have reported sexual abuse in the context of the ongoing militarization of their areas of residence. Allegations of sexual violence by the Sri Lankan security forces against members of the Tamil community in the closing months of the war and in the post-conflict period have been extensively documented, but rarely addressed. Testimony of women released from detention in 2014 indicates that acts of sexual torture were accompanied by racial insults and specifically directed against individuals perceived as having been linked to the Liberation Tigers of Tamil Eelam.

Recommendation

78. I call upon the newly elected Government of Sri Lanka to investigate allegations of sexual violence, including against national armed and security forces, and to provide multisectoral services for survivors, including reparations and economic empowerment programmes for women at risk, including war widows and female heads of household.

C. Other situations of concern

Nigeria

79. One of the most alarming episodes of 2014 was the abduction on 14 April of 276 girls from a government secondary school in Chibok, Borno State, by Boko

Haram. This incident must be viewed in the context of over six years of insurgency in northern Nigeria characterized by consistent human rights violations, including abduction and sexual abuse, by Boko Haram. In addition, the deteriorating security and humanitarian situation in the north-east has resulted in large-scale displacement which, according to humanitarian workers and displaced civilians, has led to rape and child trafficking during population flight and in internally displaced persons camps. However, as the Nigerian Police Gender Unit notes, sexual and gender-based violence is rarely reported owing to fear of stigmatization and prevailing cultural beliefs.

80. In Borno State, Boko Haram has abducted women and girls, often forcing them into marriages that entail repeated rape. These marriages are sometimes proposed as a form of "protection" from rape by other members of the group. Abducted girls who refuse marriage or sexual contact within marriage have faced violence and death threats. Forced marriage, enslavement and the "sale" of kidnapped women and girls are central to Boko Haram's modus operandi and ideology. As part of the counter-insurgency response, the Government has deployed a joint task force comprising military, police, immigration and intelligence officers. Vigilantes, referred to as the "civilian joint task force", have also emerged to protect their communities from insurgents. All counter-insurgency operations should take into account the security of women and girls.

Recommendation

81. I encourage the Government to implement its national action plan on the implementation of Security Council resolution 1325 (2000) to ensure that women's protection concerns are mainstreamed throughout its security operations. I also call upon the authorities to guarantee security in and around internally displaced persons camps and to extend medical and psychosocial services to high-risk areas.

III. Sexual violence perpetrated in the context of rising violent extremism

82. The confluence of crises wrought by violent extremism has revealed a shocking trend of sexual violence employed as a tactic of terror by radical groups. Egregious forms of conflict-related sexual violence have been perpetrated by extremist groups in Iraq, Mali, Nigeria, Somalia and the Syrian Arab Republic, including rape, sexual slavery, forced marriage, forced pregnancy and forced abortion, including as a form of religious and ethnic persecution. Conflict environments that are conducive to extremism, such as in Libya and Yemen, will also require close attention.

83. The patterns highlighted in this report demonstrate that sexual violence is not incidental, but integrally linked with the strategic objectives, ideology and funding of extremist groups. It is used to advance such tactical imperatives as recruitment; terrorizing populations into compliance; displacing communities from strategic areas; generating revenue through sex trafficking, the slave trade, ransoms, looting and the control of natural resources; torture to elicit intelligence; conversion and indoctrination through forced marriage; and to establish, alter or dissolve kinship ties that bind communities.

84. Sexual violence by extremist groups arises from discrimination and dehumanization based on gender, sexual orientation, ethnic and political or religious identity, in particular the subordination of women and girls. Indeed, the same ideology and objectives that motivate Boko Haram to abduct women and girls in Nigeria also spur ISIL to enslave women and girls in the Syrian Arab Republic and Iraq. Common to such cases is the assault on women's rights and bodies that presages the advance of extremist groups. As these groups harbour aspirations to statehood, the control of women's reproductive capacity is vital to nation building and to raising a generation in their own image. For this reason, "marriage bureaux" have been established in areas under ISIL control to encourage women to marry fighters and "bride prices" have been paid by armed groups in Yemen on behalf of fighters. Modern communications technology has been exploited in the service of an ideology at odds with the modern world: social media has converted brutality into a form of propaganda to incite, radicalize and attract recruits.

85. Countering extremism, and the flow of funds and fighters to these groups, must include efforts to empower women and address the spectrum of crimes of sexual violence that extremist groups propagate. At the same time, deeper engagement by and consultation with the community will be required, including with traditional and religious leaders who must help to break the silence surrounding sexual violence and redirect the shame and stigma to the perpetrators. Classical counter-terrorism efforts have been notoriously gender blind. The convening by the Security Council of a high-level meeting on foreign terrorist fighters, held in September 2014, marked an emerging recognition that members of extremist groups enslave, rape and forcibly marry women and girls. The Council adopted resolution 2178 (2014), in which it called for the empowerment of "youth, families and women" as part of an overarching strategy to prevent the spread of terror. It is critical that the international community deepen its information base on the nature, scope and objectives of sexual violence carried out by radical groups in order to define appropriate interventions, in consultation with women and affected communities. At the same time, counter-terrorism measures by Governments, security forces and allied groups must respect fundamental human rights and the commitments made by States to end sexual violence in conflict. Moreover, the surge in violent extremism and the urgency of addressing it do not negate the need for sustained resolve and resources to combat protracted conflict-related sexual violence in other settings of concern.

IV. Activities of United Nations Action against Sexual Violence in Conflict

86. In 2014, United Nations Action against Sexual Violence in Conflict, an inter-agency network chaired by my Special Representative on Sexual Violence in Conflict, engaged in a number of strategic initiatives to improve system-wide coordination, knowledge building, advocacy and technical country-level support. To bolster capacity on the ground, UN Action has committed funding that was a catalyst for the deployment of Women's Protection Advisers in the Democratic Republic of the Congo and Côte d'Ivoire. In Côte d'Ivoire, a new national strategy to combat gender-based violence was launched during a UN Action inter-agency mission in September 2014. On the eve of the launch, a media sensitization workshop with local journalists was held in Abidjan, culminating in the creation of a

network of journalists against gender-based violence to help disseminate key messages and amplify UN Action's Stop Rape Now campaign. Building on this experience, UN Action is developing guidance on the safe and ethical reporting of sexual violence in conflict-affected settings, as part of a broader strategy to mobilize the media in countries of concern.

87. In 2014, UN Action produced a number of tools and knowledge products to improve practice in the field. It published a new guidance note on the intersections between the Monitoring, Analysis and Reporting Arrangements and the Gender-based Violence Information Management System, with a view to improving the way data are gathered and reported to the Security Council while safeguarding the rights and protection needs of survivors. In addition, UN Action has supported the development and dissemination of the Guidance Note of the Secretary-General on Reparations for Conflict-Related Sexual Violence and policy briefs on psychosocial and mental health interventions.

88. The scenario-based predeployment training for peacekeepers, which UN Action pioneered in 2010, continues to be rolled out in peacekeeping training centres to improve the operational readiness of military and police peacekeepers to react swiftly and appropriately to conflict-related sexual violence. The Department of Peacekeeping Operations-Department of Field Support Specialized Training Materials on Protection of Civilians and Prevention and Response to Conflict-related Sexual Violence for military components address conflict-related sexual violence at the strategic, operational and tactical levels. Several training and training of trainers sessions took place in 2014 in Bangladesh for the contingent deploying to MINUSCA and MONUSCO and a pilot training of trainers session was held for newly deployed and rehatted MINUSCA military and police commanders.

89. To enhance prevention capabilities in mission settings, the framework of early warning indicators of conflict-related sexual violence developed by UN Action has been adapted and used in several countries, including Côte d'Ivoire, the Democratic Republic of the Congo, South Sudan and the Sudan (Darfur). Technical support at country level was provided for the continued roll-out of Guidance for Mediators: Addressing Conflict-Related Sexual Violence in Ceasefire and Peace Agreements, including through the training of envoys, mediators and mediation experts. In 2014, the number of ceasefire agreements that included specific provisions on conflict-related sexual violence continued to increase, with two new agreements signed (for the Central African Republic and South Sudan).

90. In November 2014, UN Action and the Government of Switzerland co-hosted the third annual meeting of donors and parties engaged in the conflict-related sexual violence agenda, which was attended by 19 Governments and which aimed to strengthen strategic partnerships and define joint, coordinated actions in priority countries. UN Action also works in partnership with the United Kingdom Preventing Sexual Violence Initiative, contributing substantively to the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict.

91. All of these activities are supported by voluntary contributions to the United Nations Action Multi-Partner Trust Fund, which fosters joint action across the spectrum of United Nations entities and encourages transparency and cooperation in the spirit of "delivering as one".

V. Activities of the Team of Experts on the Rule of Law and Sexual Violence in Conflict

92. The Team of Experts on the Rule of Law and Sexual Violence in Conflict was mandated by the Security Council in resolution 1888 (2009) to support national authorities to strengthen the rule of law in order to address sexual violence in armed conflict. The Team of Experts reports directly to my Special Representative and is composed of experts from the Department of Peacekeeping Operations, the United Nations Development Programme (UNDP) and OHCHR. In addition to this core capacity, the Team of Experts maintains a roster of experts with a broad range of specializations to support national authorities. The Team of Experts assists national authorities in developing a more structured justice and security sector response to conflict-related sexual violence, often on the basis of political commitments secured at the highest levels by my Special Representative.

93. The Team of Experts assists national institutions in the following thematic areas: criminal investigations and prosecution; collection and preservation of evidence; investigations and prosecutions within the military justice system; criminal law reform and procedural law reform; protection of victims, witnesses and justice officials; and reparations. The Team of Experts promotes South-South cooperation, enabling countries facing conflict-related sexual violence to learn from each other's experiences, and is currently compiling good practices in this regard.

94. In 2014, the Team of Experts provided technical assistance for the creation of a rapid response unit in the Central African Republic, composed of trained gendarmes and police officers, to improve investigation. It also provided inputs to the draft law on the creation of a special criminal court to ensure that it has jurisdiction over crimes of sexual violence. The Team of Experts provided input to the groundbreaking Law 1719 on access to justice for victims of sexual violence in Colombia and will continue to work with the authorities, including by facilitating the sharing of good practices with other countries. In Côte d'Ivoire, the Team of Experts helped to strengthen the justice pillar of the national strategy to combat gender-based violence that was adopted in September 2014. The Team of Experts also facilitated experience sharing between Côte d'Ivoire and Sierra Leone and supported the development of an action plan by FRCI that covers prevention, capacity-building and deterrence.

95. In the Democratic Republic of the Congo, the Team of Experts has supported the Government to implement its commitments under the 2013 joint communiqué and provided advice to the Government on the draft law on mixed courts. It has also assisted the Office of the Personal Representative of the President on Sexual Violence and Child Recruitment to formulate a plan of operation that includes accountability for a number of emblematic incidents of sexual violence that took place in Walikale, Bushani and Mutongo. The Team of Experts is also providing technical advice to the Democratic Republic of the Congo on implementing reparations programmes for survivors. It supported the Forces armées de la République démocratique du Congo to develop a landmark action plan to prevent sexual violence, which was launched in August 2014. In cooperation with UNDP, the Team of Experts has contributed to the monitoring of sexual violence cases and has provided technical assistance to the Special Commission on Sexual Violence of the Senate to bolster its law-making and oversight role.

96. As a result of technical support from the Team of Experts to the panel of judges established by the Government of Guinea, 12 military officers, including senior officers, and a gendarme have been indicted for crimes allegedly committed during the events of 28 September 2009, including sexual violence. A judicial expert deployed by the Team of Experts continues to assist the panel in investigations and case building. The expert also assists in relation to safeguards for the security of victims and witnesses, reparations, judicial cooperation with neighbouring countries as well as in the planning of the forthcoming access to mass graves. The Team of Experts deployed to Liberia in July 2014 to contribute to the review of the United Nations-Government of Liberia Joint Programme on Sexual and Gender-Based Violence and to assist in defining recommendations on how to address remaining challenges.

97. In coordination with the United Nations in Somalia, the Team of Experts assisted the Government in drafting its national action plan on combating sexual violence, which constitutes a road map for the prevention of and response to crimes of sexual violence. In addition, the Team of Experts has contributed to strengthening the provisions of the sexual offences bill that is due to be discussed by Parliament. In South Sudan, the Team of Experts laid the groundwork for the joint communiqué signed between the United Nations and the Government in October 2014 and is working with the Government and the United Nations system to develop an implementation plan. In the context of the Framework of Cooperation between the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict and the International Conference on the Great Lakes Region, signed in December 2014, the Team of Experts has worked with the Kampala-based International Conference Training Facility on Sexual Violence to conduct training for police from countries participating in the International Conference on the use of forensic evidence. The Team of Experts collaborates with a number of other institutions, including Justice Rapid Response and the United Kingdom Prevention of Sexual Violence Initiative, and contributed to the development of the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict.

VI. Recommendations

98. The information presented in my report underscores the need to promote gender equality and women's empowerment in order to address the root causes of conflict-related sexual violence, transform harmful social norms and counter the rise of extremism. The following recommendations outline critical prevention and response measures to combat conflict-related sexual violence. In their implementation, I continue to emphasize the need for national ownership, leadership and responsibility. The United Nations stands ready to support national authorities in their efforts.

99. **I urge the Security Council:**

(a) **To recognize that in addition to being employed as a tactic of war, as noted in resolution 1820 (2008), sexual violence can also constitute a tactic of terror. Accordingly, efforts to prevent and address sexual violence should be closely and strategically aligned with efforts to prevent violent extremism;**

(b) To fully integrate the issue of conflict-related sexual violence into the work of relevant Security Council sanctions committees, including the Al-Qaida Sanctions List, as part of the criteria for the imposition of targeted measures;

(c) To continue to employ all means at its disposal to influence parties to conflict to comply with international law, including by referring matters to the International Criminal Court. Referrals should apply to individuals who commit, command or condone, by failing to prevent or punish, sexual violence, in line with the modes of liability under international criminal law;

(d) To give due consideration to the risk factors and warning signs of sexual violence in its monitoring of the security situation in conflict-affected countries, particularly in relation to elections, civil strife and mass population movements, such as forced displacements or expulsions;

(e) To use its periodic field visits to focus attention on conflict-related sexual violence concerns and to solicit the views of affected communities, women's civil society organizations and associations of survivors, as appropriate.

100. I encourage Member States, donors and regional organizations:

(a) To support the delivery of multisectoral assistance for survivors of sexual violence, including the full range of sexual and reproductive health services; HIV awareness and response measures; and psychosocial, legal and livelihood support, ensuring differentiated and appropriate responses for children and male survivors. Reintegration support, including shelters and economic livelihood programmes, should be made available to individuals released from situations of abduction, forced marriage, trafficking and sexual slavery, as survivors and their families often face social and economic marginalization;

(b) To support the United Nations to engage in dialogue with both State and non-State parties to elicit commitments to prevent and address conflict-related sexual violence and to help ensure compliance with these commitments as well as supporting engagement with faith-based leaders to counter religious justifications for violence and reduce the stigma faced by survivors;

(c) To continue to emphasize the central role of civil society, including women's organizations, in community-level prevention, protection and support, as well as that of journalists and human rights defenders who report on and respond to these traditionally hidden crimes and can play a pivotal role in changing social norms, attitudes and behaviours;

(d) To support the accelerated deployment of both Women's Protection Advisers and Gender Advisers, in order to facilitate the full implementation of all resolutions on conflict-related sexual violence and women, peace and security, including by ensuring that these posts are reflected in the regular budgets of United Nations missions. Given the scope of work under both portfolios, it is critical that these functions remain distinct and complementary;

(e) To provide adequate and timely funding to ensure that ceasefire and peace agreements comprehensively address conflict-related sexual violence and are effectively implemented, including by supporting the deployment of gender expertise to mediation teams and monitoring mechanisms; deploying both

female and male observers; and training monitoring teams on how to effectively monitor for conflict-related sexual violence. In addition, women should have the opportunity to participate meaningfully in all ongoing peace processes, including in relation to the Central African Republic, Libya, Mali, Myanmar and South Sudan;

(f) To explicitly reflect the need to address conflict-related sexual violence in all justice, security sector reform and disarmament, demobilization and reintegration initiatives, including as they relate to corrections and police capacity;

(g) To continue to support the use of innovative operational tools developed by partners of United Nations Action against Sexual Violence in Conflict, including Addressing Conflict-Related Sexual Violence: An Analytical Inventory of Peacekeeping Practice, the matrix of early-warning indicators of conflict-related sexual violence and guidance on ethical data collection and strengthening medico-legal services, and to adopt national and regional early warning systems in conflict-affected areas that are attuned to gender dynamics and signs of impending, ongoing or escalating sexual violence and refer to the Guidance Note of the Secretary-General on Reparations for Conflict-related Sexual Violence in the design, development and implementation of reparations programmes;

(h) To encourage troop- and police-contributing countries to increase the number of women deployed to peacekeeping operations and to systematically integrate the Department of Peacekeeping Operations-Department of Field Support training materials on conflict-related sexual violence into their predeployment training;

(i) To encourage private sector actors to make specific commitments, including to undertake due diligence to ensure that proceeds from materials acquired for their production processes do not fund armed groups that perpetuate conflict and conflict-related sexual violence;

(j) To give due consideration to accepting conflict-related sexual violence as a form of persecution that is grounds for the recognition of refugee status for individuals affected or under threat, as sexual violence is not only a risk faced by displaced persons but also a tactic that has been used to induce displacement;

(k) To fulfil the political commitments and pledges made at the historic Global Summit to End Sexual Violence in Conflict convened by the Government of the United Kingdom in June 2014 as well as in the communiqué for the Call to Action on Protecting Women and Girls in Emergencies adopted in November 2013;

(l) To continue cooperation with regional and subregional organizations, including the sharing of experiences and information. I encourage regional and subregional bodies to establish concrete mechanisms to prevent and respond to conflict-related sexual violence, specifically its cross-border dimensions, and note that such efforts may be advanced through the appointment of a dedicated high-level envoy within their secretariats;

(m) **To ensure that all efforts to document and investigate sexual violence are guided by the principles of security, confidentiality, anonymity and informed consent.**

101. **In line with my emphasis on fostering national ownership, I urge Member States to draw upon the expertise of the Team of Experts on the Rule of Law and Sexual Violence in Conflict and to support the experts in building the capacity of civilian and military justice systems, as part of broader efforts to strengthen institutional safeguards against impunity. I urge donors to ensure sustainable funding for this valuable resource.**

102. **I urge all Member States to support the efforts of United Nations Action against Sexual Violence in Conflict and its Multi-Partner Trust Fund, particularly for the development and implementation of comprehensive national strategies to prevent and address conflict-related sexual violence in a coordinated and holistic manner.**

Annex

List of parties credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence in situations of armed conflict on the agenda of the Security Council

The present annex does not purport to be a comprehensive list of perpetrators, but includes those on whom credible information is available. It should be noted that the names of countries appear only to indicate the locations where offending parties are committing relevant violations.

Parties in the Central African Republic

1. Lord's Resistance Army.

2. Ex-Séléka forces.

3. Anti-balaka forces, including associated elements of the armed forces of the Central African Republic.

4. Révolution et justice.

5. Front démocratique du peuple centrafricain.

Parties in Côte d'Ivoire

1. Ex-militia groups, including the Alliance patriotique de l'ethnie Wé, the Front pour la libération du Grand Ouest, the Mouvement ivoirien de libération de l'ouest de la Côte d'Ivoire and the Union patriotique de résistance du Grand Ouest.

2. Forces républicaines de Côte d'Ivoire.*

Parties in the Democratic Republic of the Congo

1. The following armed groups:

   (a) Alliance des patriotes pour un Congo libre et souverain;

   (b) Allied Democratic Forces — National Army for the Liberation of Uganda;

   (c) Forces pour la défense du Congo;

   (d) Forces démocratiques de libération du Rwanda;

   (e) Front de résistance patriotique de l'Ituri;

   (f) Lord's Resistance Army;

   (g) Mai-Mai Cheka/Nduma Defence for Congo;

   (h) Mai-Mai Kifuafua;

   (i) Mai-Mai Simba/Morgan;

   (j) Mai-Mai Simba/Lumumba;

   (k) Nyatura armed group;

   (l) Raia Mutomboki.

* Party has committed to adopt specific measures to address conflict-related sexual violence.

2. Forces armées de la République démocratique du Congo.*

3. National police of the Democratic Republic of the Congo.

Parties in Iraq

Islamic State in Iraq and the Levant.

Parties in Mali

1. Mouvement national pour la libération de l'Azawad.

2. Ansar Dine.

3. Movement for Unity and Jihad in West Africa.

4. Al-Qaida in the Islamic Maghreb.

Parties in Somalia

1. Al-Shabaab.

2. Somali National Army.*

3. Somali National Police Force* and allied militia.

4. Puntland military.

Parties in South Sudan

1. Lord's Resistance Army.

2. Justice and Equality Movement.

3. Sudan People's Liberation Movement Army in Opposition.*

4. Sudan People's Liberation Army.*

5. South Sudan National Police Service.*

Parties in the Syrian Arab Republic

1. Islamic State in Iraq and the Levant.

2. Other armed groups in contested areas such as Raqqa, Al-Hasakeh, Damascus and Rif Damascus, including:

(a) Al Nusra Front;

(b) Liwa Al-Islam;

(c) Aknaf Bait al-Maqdes;

(d) Ansar Bait Al-Maqdis;

(e) Harakat Ahrar Ash-Sham al-Islamiyya.

3. Government forces, including the Syrian armed forces and the intelligence services and pro-Government forces, including the National Defence Forces militia.

Other parties of concern on the agenda of the Security Council

Boko Haram.

United Nations A/69/836–S/2015/204

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Security Council

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General Assembly
Sixty-ninth session
Agenda item 107
Measures to eliminate international terrorism

Security Council
Seventieth year

Identical letters dated 23 March 2015 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I wish to draw your attention to the following:

On the morning of Monday, 23 March 2015, armed terrorist groups committed yet another massacre in the city of Aleppo when they fired several rockets at the tranquil residential districts of Bab al-Faraj, Bustan Kulayb, Jamiliyah, Barun and Sa'dullah al-Jabiri. The attack killed 12 civilians and injured over 30 others, most of them children and women. There are body parts of unidentified victims at the site of the attack. Public and private property also sustained significant material damage.

This massacre is the continuation of a series of terrorist crimes targeting Aleppo that have been committed by terrorist groups that include groups some have deemed fit to call moderate. For more than a year and a half after the crisis began, Aleppo had stood as an impregnable rampart against extremist armed terrorist groups and had managed to maintain its stability and preserve the security and safety of its citizens, until countries that like to call themselves "friends of the Syrian people" specifically ordered the terrorist groups to target and enter the peaceful city. Those groups, composed of the nationals of 90 countries, proceeded to kill innocent civilians, starve them by cutting off access to food, water and electricity, surround them and use them as human shields. Those groups also laid waste to the city's medical, service, educational and economic infrastructure.

We cannot forget that it was those wicked terrorist groups that attacked the city's cultural and religious legacy, destroying the Umayyad Mosque and setting ablaze the city's traditional market, which had been the oldest surviving market of its kind in the world until they committed the crime of burning it. They also destroyed Aleppo's ancient districts and archaeological landmarks, which are registered as world heritage sites. Such acts can only be described as desperate attempts to snuff out the light of human culture and civilization and to spread the

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obscurantist, extremist and hateful thought of groups steeped in ignorance, extremism and hostility to humanity.

The Government of the Syrian Arab Republic affirms its resolve to combat terrorism in Syria and fulfil its duty to defend and protect the Syrian people from any attacks against its security and safety. It once again calls on the Security Council and the Secretary-General to condemn this criminal act and take forceful measures, in coordination and cooperation with the Syrian Government, against the terrorist groups and the States that support and sponsor them, in accordance with the relevant Security Council resolutions, in particular resolutions 2170 (2014), 2178 (2014) and 2199 (2015).

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 107, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

United Nations A/69/835–S/2015/205

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Security Council

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General Assembly
Sixty-ninth session
Agenda item 107
Measures to eliminate international terrorism

Security Council
Seventieth year

Identical letters dated 23 March 2015 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, and further to our identical letters of 24 February 2015 (A/69/795-S/2015/137), I wish to draw your attention to the following information:

From 22 February to 22 March 2015, armed terrorist groups bombed and shelled the cities of Syria, killing 172 Syrian civilians, 28 of them children, and injuring 383 civilians, 83 of them children. Those criminal acts have now claimed a total of 17,358 Syrian civilian lives, including 1,895 children; 16,129 civilians, 2,913 of them children, have been wounded.

Those figures include all Syrian governorates except for Raqqah. They do not include those members of the Syrian Arab Army, the security forces and law enforcement forces who have died in clashes with terrorist organizations and terrorists, including the foreign terrorist fighters and mercenaries brought to Syria by State sponsors of terrorism in order to wreak havoc and destruction in the country, in a flagrant standing violation of Security Council resolutions 1267 (1999), 1373 (2001), 1989 (2011), 2170 (2014), 2178 (2014) and 2199 (2015). Nor do those figures reflect the civilians who have been shot, have had their throats cut or have fallen victim to any of the other barbaric criminal methods used by the terrorist organizations.

The Government of the Syrian Arab Republic once again calls on the Security Council to assume its responsibilities by condemning and holding to account State sponsors of terrorism, particularly the regimes of Turkey, Saudi Arabia and Qatar, and by prevailing on them to bring an end to their destructive activities, which endanger international peace and security.

I should be grateful if you would have the present letter issued as a document of the General Assembly, under agenda item 107, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

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United Nations S/2015/206

Security Council

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Implementation of Security Council resolutions 2139 (2014), 2165 (2014) and 2191 (2014)

Report of the Secretary-General

I. Introduction

1. This thirteenth report is submitted pursuant to paragraph 17 of Security Council resolution 2139 (2014), paragraph 10 of Security Council resolution 2165 (2014) and paragraph 5 of Security Council resolution 2191 (2014), in which the Council requested the Secretary-General to report, every 30 days, on the implementation of the resolutions by all parties to the conflict in the Syrian Arab Republic.

2. The information contained in the report is based on the data available to United Nations agencies on the ground and reports from open sources and from the Government of the Syrian Arab Republic. Data from United Nations agencies on their humanitarian deliveries have been reported for the period from 1 December 2014 to 28 February 2015. More recent data have been included, when available, including on cross-border operations and deliveries to besieged communities.

II. Major developments

A. Political/military

3. Widespread conflict and high levels of violence continued throughout the Syrian Arab Republic in February, particularly in the governorates of Aleppo, Homs, Deir ez-Zor, Rif Dimashq, Damascus, Al-Hasakeh, Idlib, Dar'a, Quneitra and Raqqa. Indiscriminate aerial bombings, including the use of barrel bombs, by government forces and indiscriminate shelling by non-State armed groups and extremist and listed terrorist groups[1] resulted in deaths, injuries and displacement of civilians. The conduct of hostilities by all parties continues to be characterized by widespread disregard for the rules of international humanitarian law and the protection of civilians.

[1] On 30 May 2013, Islamic State in Iraq and the Levant (ISIL) and the Nusra Front were designated as terrorist groups by the Security Council under resolution 1267 (1999). The two groups operate in the Syrian Arab Republic.

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4. On the basis of analysis of satellite imagery, Human Rights Watch reported at least 450 distinct major damage sites in 10 towns and villages outside government control in Dar'a governorate and more than 1,000 major damage sites in Aleppo governorate between 22 February 2014 and 25 January 2015. The organization reports that the impact sites have damage signatures strongly consistent with the detonation of large, air-dropped munitions, including improvised barrel and conventional bombs dropped by helicopters. Damage resulting from the use of rockets, missiles or fuel air bombs is also likely in a number of instances. Human Rights Watch has also documented violations by armed groups opposed to the Government of the Syrian Arab Republic committed between January 2012 and April 2014. Human Rights Watch highlights indiscriminate attacks using car bombs, mortars and unguided rockets in heavily populated, government-controlled areas that have killed hundreds of civilians in Damascus and Homs. In areas that Human Rights Watch could visit, it found that neighbourhoods under government control inhabited predominately by religious minorities were subject to more indiscriminate attacks by opposition groups than areas that were largely majority Sunni.

5. Fighting intensified in Dar'a governorate from 8 February, after some 3,000 government and pro-government forces launched an operation against opposition areas in north Dar'a, as well as southern Rif Dimashq. Some 5,000 families reportedly fled to the border areas of Quneitra as a result. Government forces also carried out aerial bombardment, including with barrel bombs, on different areas of Dar'a governorate. According to reports received by the Office of the United Nations High Commissioner for Human Rights (OHCHR), more than 90 civilians, including 8 women and 14 children, were killed as a result of attacks by government and allied forces on areas controlled by non-State armed groups opposed to the Government of the Syrian Arab Republic in February.

6. In Aleppo, government forces continued their campaign of shelling and aerial bombardment, including with barrel bombs. Information received by OHCHR indicates that as many as 137 civilians, including 19 women and 24 children, were killed as a result of attacks by government forces and affiliated militias. Among the casualties, at least 58 were killed as a result of barrel bombs dropped on residential areas. For example, on 1 February, at least five civilians, including four children, were killed by barrel bombs dropped on the neighbourhood of Baydeen, in the northern part of Aleppo, an area controlled by non-State armed groups opposed to the Government of the Syrian Arab Republic. On 5 and 6 February, at least 33 civilians were killed as a result of barrel bombs dropped on the same neighbourhood. As at 20 February, fighting between pro-government forces and non-State armed groups north of Aleppo city had obstructed the Bab al-Salam-Aleppo city route but did not cut all access to eastern Aleppo city.

7. Non-State armed groups carried out mortar shelling against government-controlled areas in Aleppo, including densely populated areas. Human rights defenders reported that at least 70 civilians, including 20 children and 5 women, were killed in February as a result of attacks by non-State armed groups on government-controlled, civilian-populated areas in Aleppo. For example, on 17 February, 10 civilians, including 3 children, were killed in the government-controlled west Aleppo neighbourhood of Al-Serian as a result of mortar shelling by non-State armed groups. Dozens of other civilians, including women and children, were injured, some seriously.

8. In the governorate of Rif Dimashq, government forces continued shelling and aerial bombardment on densely populated towns in the area of eastern Ghouta, particularly the towns of Douma, Kafr Batna and Erbin. For example, from 5 to 11 February, government forces carried out indiscriminate aerial attacks on the town of Douma reportedly using barrel and vacuum bombs. According to information gathered by OHCHR, more than 300 civilians were reportedly killed as a result of the attacks on Douma and other towns in eastern Ghouta during February.

9. On 4 February, Jaish al-Islam issued a statement in which it warned that it intended to carry out attacks against government positions in the city of Damascus in retaliation for the escalation of attacks by government forces in eastern Ghouta. On 5 February, Jaish al-Islam shelled Damascus, including civilian areas. The attacks reportedly killed three civilians, including two children, and injured four children, among others. On 23 February, it carried out another wave of shelling. Human rights defenders and eyewitnesses interviewed by OHCHR reported that some mortar rounds fell in the vicinity of the main gate of Damascus central prison (Adra prison), injuring a number of civilians who had gathered outside while waiting to be allowed in to visit friends and family members.

10. In Al-Moadamyeh, Rif Dimashq, the ceasefire agreement in force since late 2014 has been broken. Repeated clashes have been reported in the northern and southeastern areas of Al-Moadamyeh, with deaths and injuries. It was reported that the Government had blocked access to the city through the main road since 16 February, allowing the movement of public servants and students only, raising concerns about the humanitarian situation of an estimated 7,300 families currently living there.

11. Government forces continued to shell the neighbourhoods of Jobar and Yarmouk in Damascus. OHCHR was unable to document the number of civilian casualties related to those attacks. The shelling has resulted in further destruction of infrastructure in both areas.

12. Government forces carried out shelling and aerial bombardment against opposition-held areas in Homs, including northern rural Homs, the cities of Al-Rastan and Talbiseh, the village of Al-Houla and the Homs city neighbourhood of Al-Waer. According to information received by OHCHR, as many as 24 civilians, including 2 women and 4 children, were killed and dozens injured as a result of government attacks in Homs in February. Negotiations continued between the Al-Waer committee and the government delegation over a local agreement.

13. Government aerial bombardment continued throughout February against ISIL-controlled cities and towns, resulting in damage to residential areas and public infrastructure, including ISIL-occupied government buildings, highways and oil fields. For example, on 7 February, government aerial bombardment of the ISIL-controlled city of Al-Mayadin, Deir ez-Zor governorate, reportedly resulted in the killing of four civilians and injury to others after missiles struck the Al-Nadi roundabout in the centre of the city.

14. Fighting, including government aerial attacks with barrel bombs, intensified in a number of villages in Quneitra governorate. For example, on 22 February, at least nine civilians were reportedly killed by barrel bombs in Sweisa and Naba al-Sakhr, near the border with Dar'a governorate.

15. Use of improvised explosive devices and vehicle-borne improvised explosive devices continued. For example, on 23 February, during religious festivities on the occasion of the birthday of the granddaughter of the Prophet Mohammad, a complex attack using a vehicle-borne improvised explosive device — claimed by the Nusra Front — on a checkpoint at the entrance to the central area of Sayyida Zeinab, Rif Dimashq, left at least 10 killed and dozens injured. On 27 February, a similar device detonated in Dmair, eastern Ghouta, killing at least 11 people. On 2 March, an explosive device detonated near a military car in the old city of Damascus and claimed the lives of Brigadier General Ali Darwish, a senior government officer, and two of his companions. Ahrar al-Sham claimed responsibility for the assassination.

16. Civilian infrastructure continued to be targeted, and basic services, including electricity and water, continued to be cut. For example, water supplies to Dar'a city and western Dar'a governorate were cut from 12 to 24 February, affecting some 450,000 people, after the Nusra Front seized a government diesel tanker during a routine delivery of fuel to water pumps in Mzayrib. The affected communities negotiated with the parties to connect the water pumps to an alternative electricity supply.

17. Schools were also affected by violence. In January and February, two attacks on schools and/or education personnel were documented and verified by United Nations teams. In addition, ISIL has closed all primary and secondary schools in Raqqa governorate, with the exception of 24 ISIL-run schools. Recent reports also suggest that ISIL opened an English-language school for children who do not speak Arabic. ISIL agreed to reopen schools in Deir ez-Zor provided that the existing curriculum was modified.

18. Tens of thousands of people were displaced by fighting in February. For example, fighting between government forces and the Kurdish People's Protection Units (Yekîneyên Parastina Gel/Jinê) (YPG/YPJ) and between YPG/YPJ and ISIL in Al-Hasakeh governorate forced an estimated 50,000 people to flee to other parts of the governorate. Tens of thousands more have been displaced by heavy fighting in Dar'a, Deir ez-Zor and Aleppo governorates.

19. In its resolution 2199 (2015), the Security Council, inter alia, condemned the destruction of cultural heritage in Iraq and the Syrian Arab Republic. A study of satellite images by the Operational Satellite Applications Programme of the United Nations Institute for Training and Research, released in December 2014, showed destruction to World Heritage Sites and those on the tentative list, with 24 specific sites destroyed and 99 sustaining severe damage and 143 sustaining moderate or possible damage.

20. On 17 February, the Special Envoy briefed the Security Council and announced the readiness of the Government of the Syrian Arab Republic to suspend for six weeks all aerial attacks and artillery shelling throughout the city of Aleppo. The Special Envoy travelled to Damascus for further consultations on 28 February, and consultations also continued with representatives of the opposition. The Special Envoy also held meetings in Istanbul and Ankara, and a delegation then travelled to Gaziantep between 26 February and 4 March. Opposition representatives suggested that they would support the freeze if the proposal was clearly linked to a comprehensive political solution to end the conflict based on the Geneva communiqué of 30 June 2012. Separately, another delegation led by the Office of the Special Envoy's Head of Office in Damascus travelled to Aleppo in order to

assess the situation and identify the elements required for the implementation of a freeze. On the basis of the assessment provided to him by both missions, the Special Envoy will review whether conditions are in place for the implementation of the freeze initiative for an initial six-week period.

B. Human rights

21. OHCHR continued to receive allegations and document cases of arbitrary arrests, detention, torture and death in custody inside government detention centres, including in Hama governorate, in centres run by the National Defence Forces. Young people have also been subjected to arbitrary arrest and detention by government security branches. For example, on 13 February, the Military Intelligence Branch reportedly detained a number of young people living in the Al-Matar neighbourhood in Dar'a al-Mahata. The following day, a number of houses in the same area were reportedly raided, during which young people were detained, belongings looted and abandoned houses destroyed.

22. Information gathered by OHCHR during the reporting period shows that a number of detainees have been transferred back and forth between the Damascus central prison (Adra prison) and different security branches in Damascus, including the Political Security Branch. In addition, a number of detainees were transferred from Adra prison to prisons in other government-controlled areas, including Hama, Latakia and Al-Sweida. The transfer of detainees has made legal follow-up and family visits even more difficult. Families have reported their intention to appoint new lawyers from the governorates in which detainees are being held, as lawyers face particular challenges travelling between governorates, given the risks at checkpoints.

23. OHCHR is investigating reports of the execution by government forces and affiliated militias of at least 22 civilians, including 3 women and 3 children, following their takeover of the village of Raitan, in Aleppo governorate. That figure remains indicative, since other sources have cited higher numbers.

24. The Nusra Front and ISIL continued to violate international humanitarian law and commit human rights abuses in areas in which they exercised control, including executions, abductions and restrictions on fundamental freedoms. For example, on 16 February, the Nusra Front reportedly tortured to death a civilian who had been detained for two weeks. On the same day, two journalists working for a local media agency were detained by Nusra Front militants in Idlib governorate. The location of their detention remains unknown.

25. ISIL executed a number of men, some of whom were beheaded, in areas that it controlled, for allegedly collaborating with the Government or YPG. Human rights defenders report that a man accused of practising sorcery was beheaded in Raqqa on 7 February. On 10 February, ISIL stoned a man to death reportedly on the basis of his sexual orientation. On 23 February, ISIL militants punished a man in Al-Sarb, Al-Hasakeh, on the grounds that his wife apparently did not meet the strict dress code applied by ISIL. A number of people in Deir ez-Zor governorate were publicly flogged for alleged alcohol and drug consumption.

26. ISIL abducted a number of civilians during the reporting period. Between 23 and 26 February in Al-Hasakeh governorate, ISIL militants attacked about a dozen villages in the area of Tal Tamer and abducted more than 200 Assyrian

inhabitants. ISIL militants have reportedly accused Assyrians of collaborating with both government and YPG forces. The ISIL attacks on Assyrian villages have triggered the displacement of Assyrians to areas under the control of YPG. It is alleged that a number of the Assyrian detainees were released on 6 March.

27. In addition, eight civilians from Ayash, Deir ez-Zor, were abducted on 1 February. On 9 February, ISIL militants reportedly prevented civilians in the area of Al-Jncina, in Deir ez-Zor city, from fleeing the area following aerial bombardment by government forces. At least 30 civilians, including 7 women, were turned away from the checkpoint, in effect preventing them from fleeing to safety. A human rights defender informed OHCHR that the civilians were escorted by ISIL militants to an undisclosed location. Their fate remains unknown at the time of writing.

C. Humanitarian access

28. Some 12.2 million people require humanitarian assistance in the Syrian Arab Republic. About 7.6 million people are internally displaced, and more than 3.9 million people have fled the Syrian Arab Republic to neighbouring countries and North Africa.

29. Despite significant deliveries of humanitarian assistance to people in need, unhindered access and the delivery of aid remain extremely difficult and are, in some cases, becoming even more challenging owing to violence and insecurity, shifting conflict lines, deliberate interference by parties to the conflict, including the closure of operations by ISIL, and administrative procedures that constrain effective aid delivery.

30. Violence and insecurity, as well as shifting conflict lines, continued to inhibit deliveries to a number of governorates in the Syrian Arab Republic during the reporting period, including in Aleppo, Damascus, Dar'a, Deir ez-Zor, Al-Hasakeh, Idlib, Latakia, Raqqa and Rif Dimashq. For example, the United Nations Children's Fund (UNICEF) was unable to send water treatment materials to Raqqa and Deir ez-Zor governorates owing to the deteriorating security situation in February. Distributions by the Food and Agriculture Organization of the United Nations (FAO) were also inhibited in the northern governorates of the Syrian Arab Republic, which are considered the agricultural belt of the country. As a result, distribution to 26,500 people in Raqqa and Deir ez-Zor governorates was interrupted or suspended.

31. Deliberate interference and restrictions have also prevented aid delivery. For example, following the closure by ISIL of a number of humanitarian operations in January, the World Food Programme (WFP) halted deliveries to ISIL-controlled territory. As a result, some 700,000 people in need in Aleppo, Al-Hasakeh, Deir ez-Zor and Raqqa were once again not reached with food assistance in February. ISIL restrictions preventing access to government-controlled areas of Deir ez-Zor city have increased significantly since mid-January. There are reports of shortages of food and medical supplies and price hikes affecting hundreds of thousands of people.

32. New procedures, a lack of response to convoy requests, and other government administrative obstacles have also limited aid delivery. Three United Nations humanitarian staff have been declared persona non grata since the beginning of February. As from 17 February, additional procedures are required to establish partnerships between United Nations agencies and national non-governmental organizations (NGOs). The Government, at different levels, has insisted that the

United Nations share beneficiary lists. In particular, the Governor of Al-Hasakeh has made the receipt of beneficiary lists a condition for the issuance of facilitation letters. On 10 February, the Ministry of Foreign Affairs asked for details of all beneficiaries of cash assistance. On 19 February, it informed the Office of the Resident and Humanitarian Coordinator that all communication with government ministries and other public entities should be made through it, adding another layer between implementers and the line ministries. On 9 March, the Governor of Homs informed United Nations agencies working in the health sector that they could liaise with national NGOs only through the government health department.

33. While two additional international NGOs have been approved since December, bringing the number to 16, such NGOs remain restricted in their ability to partner with other humanitarian organizations, open sub-offices, conduct missions, join inter-agency convoys and conduct needs assessments. In addition, their implementing capacity is limited by the lack of agreement to grant additional visas for the staff required to boost capacity at a time of increasing need.

34. There has been an increase in the number of national NGOs authorized to partner with agencies of the United Nations, increasing from 107 as at 1 December 2014 to 114 as at 28 February 2015. Such organizations continue, however, to operate under complex procedures.

35. A total of 258 visa applications (requests for new visas or visa renewals) for United Nations staff were submitted between 1 December 2014 and 28 February 2015. A total of 250 requests, including a number of requests submitted prior to December, were approved during the same period, 108 in February. As at 15 March, 42 visa requests remained pending, of which 29 were within the limit of 15 working days and 13 had exceeded the limit. Between 1 January and 15 March, some 16 visa requests for United Nations staff were rejected, compared with 28 rejections in 2014.

36. In mid-February, the Deputy Prime Minister and Minister of Local Administration was named Chair of the High Relief Committee. In its official communication to the Ministry of Foreign Affairs of 2 March and during a meeting on 12 March, the United Nations raised its concerns with regard to access challenges, administrative procedures, limitations on the ability of the United Nations to partner with NGOs and constraints on the ability of NGOs to operate with the Chair of the High Relief Committee. United Nations agencies emphasized the importance of a more decentralized decision-making process with regard to humanitarian access and sought a constructive engagement to facilitate the delivery and scale-up of humanitarian assistance throughout the Syrian Arab Republic, in particular in addressing access challenges.

37. Funding has also failed to keep pace with growing needs. The 2014 response plan for activities in the Syrian Arab Republic was 48 per cent funded, and the 2015 Strategic Response Plan was 6 per cent funded as at 15 March. The Pledging Conference, to be hosted by the Amir and the Government of Kuwait, will be crucial in helping to raise some of the funds required for 2015.

38. The combination of the aforementioned factors continues to make the delivery of assistance in the Syrian Arab Republic even more challenging. The situation of

the 4.8 million people in hard-to-reach areas,[2] especially the 212,000 people in besieged areas, remains a grave concern.

39. Between 1 December 2014 and 28 February 2015, United Nations agencies and partners reached a monthly average of 38 of the 131 hard-to-reach and besieged locations. On average, United Nations agencies and partners reached 21 locations with food assistance and agricultural support for about 564,000 people per month; 10 locations with health support for nearly 59,000 people per month; 7 locations with water and sanitation for some 320,000 people per month; and 20 locations with shelter and core relief items for about 180,000 people per month. Of the 131 hard-to-reach locations, 74 (56 per cent) were not reached, 21 (16 per cent) were reached in one of the past three months; 15 (11 per cent) were reached twice; and 21 (16 per cent) were reached in all three months.

40. Between 1 December 2014 and 28 February 2015, the United Nations requested access through inter-agency convoys to reach up to 876,000 people in 33 besieged, hard-to-reach and other areas located across conflict lines in Aleppo, Idlib, Homs and Rif Dimashq governorates. A total of 31 locations with 719,000 people have been denied access or are waiting for approval by the Government of the Syrian Arab Republic at the national and governorate levels. Some 155,000 people were reached through inter-agency cross-line convoys to Al-Waer and Talbiseh in Homs with multisectoral assistance. In addition, a convoy with assistance for approximately 3,000 people was delivered to government-controlled Mamoura, in Rif Dimashq, early in December.

41. Cross-border deliveries have also continued. As at 17 March, the United Nations and its partners had sent 85 shipments — 60 from Turkey and 25 from Jordan — to the Syrian Arab Republic under the terms of resolutions 2165 (2014) and 2191 (2014). The shipments included the equivalent of food assistance for nearly 1,432,000 people; non-food items for about 1,089,000; water and sanitation supplies for about 405,000; and medical supplies for about 628,000. Many of the medical supplies shipped were reusable and will benefit more patients in the next few months. Other assistance (including school supplies) was delivered to some 9,900 people. In line with resolutions 2165 (2014) and 2191 (2014), the United Nations notified the Government of the Syrian Arab Republic in advance of each shipment, including details of the content, destination district and number of beneficiaries, confirming the humanitarian nature of the shipment.

42. Overall, significantly more relief items were dispatched across the border by the United Nations in line with resolutions 2165 (2014) and 2191 (2014) during the reporting period, compared with the period between September and November 2014. Specifically, food rations for 771,060 people were dispatched between December 2014 and February 2015, compared with 170,000 people between September and November 2014. Non-food items were dispatched for 779,000 people between December and February, compared with 183,000 people between

[2] As accessibility to different parts of the country, including through cross-border operations, has evolved, and as the conflict dynamics, including shifting conflict lines and control by parties, have changed, humanitarian partners have revised the list of hard-to-reach locations. United Nations agencies previously reported against a list of 287 hard-to-reach locations. In November 2014, taking into account the new access dynamics, the list was refined to 131 locations and areas in the Syrian Arab Republic that are hard to reach both from within the country and across borders.

September and November 2014. The number of water, sanitation and hygiene supplies also increased to 251,000 from 87,000, and health supplies increased to more than 372,500 from 181,500.

43. The United Nations monitoring mechanism continued its activities in Jordan and Turkey. A security incident near the border resulted in the closure of the Bab al-Hawa crossing from 26 to 31 January. Increased fighting in February resulted in the postponement of delivery of 14 trucks of supplies through the Bab al-Salam crossing. The monitoring mechanism's operations in Iraq remain pending owing to continued insecurity. The monitoring mechanism continued to benefit from excellent cooperation with and support from the Governments of Jordan and Turkey.

44. Despite the extremely challenging operating environment, overall deliveries of United Nations humanitarian agencies and partners continued to reach millions of people in need in February from within the country and across borders, pursuant to resolutions 2165 (2014) and 2191 (2014). In February, WFP delivered food assistance for more than 4 million people in 12 of 14 governorates, fulfilling 95 per cent of the monthly plan. The World Health Organization (WHO) distributed medicines and supplies for 922,699 treatments in five governorates in February. UNICEF reached 913,657 people in 13 governorates with a range of multisector support, including water and sanitation, nutrition, winter clothes for children, education and child protection services. In addition, chlorine deliveries allowed some 15.6 million people to regain access to safe water. The Office of the United Nations High Commissioner for Refugees reached 408,450 people in 12 governorates with core relief items, in addition to protection services. The United Nations Population Fund (UNFPA) reached more than 32,300 people, mostly women and girls, with reproductive health and psychosocial services. In the same month, the International Organization for Migration reached 282,643 people in eight governorates with multisectoral assistance. FAO distributed agricultural supplies to support almost 220,000 people in eight governorates. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) continues to provide support to up to 480,000 Palestine refugees on a monthly basis.

45. NGOs continued to deliver urgent food, health, sanitation and other assistance in the Syrian Arab Republic, reaching some 2 million people in February, including through the provision of ongoing services. This included aid to more than 880,000 people in Idlib, 615,000 people in Aleppo, more than 220,000 people in Dar'a, some 124,000 in Al-Hasakeh and nearly 88,000 people in Hama. NGOs continued to experience challenges in passing checkpoints and providing assistance to people in need in Raqqa and Deir ez-Zor. As a result, NGOs delivered aid for 8,821 people in Raqqa and 1,636 people in Deir ez-Zor governorates, fewer than targeted.

Besieged areas

46. Of the 4.8 million people in hard-to-reach areas, some 212,000 people remain besieged in the Syrian Arab Republic, including 185,500 people besieged by government forces in eastern Ghouta, Darayya and Yarmouk and 26,500 people besieged by non-State armed groups in Nubul and Zahraa. During the reporting period, parties further restricted access to besieged and other areas in the country.

47. In February, no food, non-food items or medical assistance reached any besieged locations. UNICEF provided polio vaccinations to implementing partners,

which reported reaching some 6,000 children under 5 years of age in Nubul, Zahra and Yarmouk.

48. In eastern Ghouta (specifically in Douma, Harasta, Erbin, Zamalka, Saqba, Kafr Batna, Ain Tarma and Hammura), some 163,500 people remain besieged. The United Nations was not able to provide assistance in February.

49. In Darayya (Rif Dimashq), about 4,000 people remain besieged. People in the area were last assisted by the United Nations in October 2012.

50. In Yarmouk, about 18,000 people remain besieged. Armed conflict, including frequent exchanges of fire and the use of heavy weapons, have prevented or interrupted the distribution of assistance. UNRWA was not able to provide assistance in February. On 5 March, the Syrian authorities directed UNRWA to use an alternative entrance to the area, which facilitated distribution on a number of days in March.

51. In Nubul and Zahraa, about 26,500 people remain besieged by opposition forces. United Nations agencies have not been able to deliver humanitarian assistance to the two villages since 8 May 2014.

52. Between 1 December 2014 and 28 February 2015, of the 212,000 people besieged, some 2,848 people received food from United Nations agencies and partners, compared with 17,508 in the preceding three months. A total of 2,740 people received non-food items, compared with 16,812 people during the same period, and some 300 people received health assistance, not including polio vaccines, compared with 79,136 during the same period.

Free passage of medical supplies, personnel and equipment

53. Between 1 December and 28 February, WHO and its implementing partners dispatched medicines and medical supplies for nearly 2 million treatments[3] in 13 governorates. This included the distribution of 366,151 treatments across lines to Aleppo, Al-Hasakeh, Raqqa, Deir ez-Zor, Homs, Rif Dimashq and Quneitra governorates. Surgical supplies for some 47,820 treatments were not delivered across lines during the period owing to the lack of approvals.

54. Between 15 and 19 February 2015, a nationwide vaccination campaign against poliomyelitis was conducted, reaching 2.9 million children under 5 years old. Post-vaccination independent monitoring found that 90 per cent of children were vaccinated. Coverage rates were lower in Raqqa (72 per cent), Rif Dimashq (82 per cent), Dar'a (80 per cent) and Deir ez-Zor (90 per cent) governorates. The main reason for low coverage was the insecurity.

55. Access to medical supplies and equipment continued to be restricted by insecurity and constraints imposed on humanitarian operations by parties to the conflict. For example, WHO has supplies in warehouses in Aleppo ready to be delivered to Nubul and Zahraa, but ongoing fighting did not allow access. Between 1 December and 28 February, six requests to the Government went unanswered, preventing medical deliveries to areas in Al-Hasakeh, Dar'a, Deir ez-Zor, Aleppo, Hama and Rif Dimashq. In addition, surgical supplies were denied access, as in the case of Douma in Rif Dimashq in January, or removed by security forces from inter-agency convoys in

[3] One standard treatment course is considered as treatment for one person. Treatment courses are determined for each medicine distribution on the basis of international WHO standards.

Al-Waer and Talbiseh in Homs in January and February, despite — in the case of the Homs convoys — the approval and support of local government authorities. UNFPA could not send reproductive health kits, dignity kits and other female hygiene materials for 117,000 people in Madaya, Douma and Harasta.

56. Attacks on medical facilities, ambulances and medical personnel continued during the reporting period. In February, Physicians for Human Rights documented five attacks on medical facilities, four by government forces and one by an unidentified non-State armed group. Three attacks occurred in Rif Dimashq, one in Idlib and one in Latakia governorates. All four government attacks were carried out with missiles and rockets, and the attack by the non-State armed group with a car bomb. Physicians for Human Rights also documented the deaths of five medical personnel in February, two of whom were targeted or killed in the line of duty. Four of the personnel were killed by government forces and one by an anti-government armed group (whose identity was unknown). Four were killed by bombing and shelling and one by shooting. Two deaths occurred in Rif Dimashq and one each in Aleppo, Dar'a and Latakia governorates.

57. Between 1 December 2014 and 28 February 2015, Physicians for Human Rights documented 17 attacks on medical facilities. Government forces perpetrated 13 attacks, non-State armed groups perpetrated one, and unknown forces perpetrated three. Five attacks occurred in Rif Dimashq, four in Idlib, three in Dar'a, two in Deir ez-Zor and one each in Aleppo, Damascus and Latakia governorates. Government forces used rockets and missiles in 10 attacks, barrel bombs in 2 attacks and unidentified aerial bombardment in 1 attack. The attack by a non-State armed group was carried out using a car bomb, as were two of the attacks by unknown forces. The third attack by unknown forces was carried out using an unidentified explosive device. Attacks by car bombs are increasing; of the 10 car bomb attacks that Physicians for Human Rights documented throughout the conflict, 8 had occurred in the past year.

58. Between 1 December 2014 and 28 February 2015, Physicians for Human Rights documented the deaths of 18 medical personnel, of whom at least 11 were targeted or killed in the line of duty. Government forces were responsible for 16 deaths, an unidentified non-State armed group for 1 death, and unknown forces for 1 death. Five deaths were recorded in Dar'a, four in Rif Dimashq, two in Deir ez-Zor, two in Idlib and one each in Aleppo, Hama, Homs, Latakia and Tartous governorates. Of the 18 personnel, 10 were killed by shelling and bombing, 4 by torture, 3 by shooting and 1 by execution.

Safety and security of staff and premises

59. Mortar and rocket attacks on Damascus by non-State armed groups led to heightened insecurity in Damascus, including for United Nations staff.

60. A complex attack carried out on 23 February, using vehicle-borne improvised explosive devices, at the checkpoint at the entrance of Sayyida Zeinab area located on the Damascus Airport highway killed 10 and injured 30 and has affected United Nations agencies' ability to conduct monitoring visits to the surrounding areas.

61. A total of 35 United Nations staff members, 31 of whom are UNRWA staff, continue to be detained or are missing. The total number of humanitarian workers killed in the conflict since March 2011 is 72. This includes 17 staff members of the

United Nations, 42 staff members and volunteers of the Syrian Arab Red Crescent, 7 volunteers and staff members of the Palestinian Red Crescent Society and 6 staff members of international NGOs. Of the 72, 3 have been killed since 1 December.

III. Observations

62. The Syrian people feel increasingly abandoned by the world as they enter the fifth year of the war that has torn their country apart. Today, more than 220,000 Syrians have been killed. Almost half of the country's men, women and children have been forced to flee their homes. Some 4 million people have sought refuge in neighbouring countries, while a further 7.6 million are displaced within the Syrian Arab Republic. Every day brings more death, displacement and destruction.

63. While global attention is focused on the threat to regional and international peace and security that such terrorist groups as ISIL and the Nusra Front pose, our focus must continue to be on how best to help and support the Syrian people. Bringing the deadly conflict to an end would be an important first step. It is imperative that we extinguish the fires of violent extremism and sectarianism that now burn throughout the entire region.

64. Despite the demands of the Security Council to end the conflict, events and attacks that should shock our collective conscience and spur us into action have become a daily occurrence, often without comment or attention being paid to them. Explosive weapons continue to be fired into populated areas, leading to indiscriminate killing and injury to people. The destruction and damage to housing and vital civilian infrastructure on which ordinary Syrians depend is also deeply worrying.

65. Conditions continue to deteriorate for the 212,000 people besieged. Education and medical facilities continue to be attacked. Health workers continue to be killed. Medical and surgical supplies cannot pass unrestricted to people in need. Cuts to essential basic services are used by parties to the conflict to punish whole communities.

66. While humanitarian actors continue to deliver assistance to millions of people in need each month, their task remains challenging and dangerous. We must find ways to de-escalate and stop the violence. A political solution must be found. I therefore call once again upon the parties to the conflict and the international community to take the steps needed to end the conflict.

67. My Special Envoy continues to work to bring about a suspension of violence in Aleppo. The proposed freeze is not an end in itself; rather, it is meant as a confidence-building step leading to an inclusive, Syrian-led political process based on the Geneva communiqué of 2012. The ultimate objective is ambitious but achievable: an end to violence and a credible political transition to a country in which the rights of all communities are protected and the legitimate aspirations of all Syrians to freedom, dignity and justice are met.

68. The lack of accountability in the Syrian Arab Republic has led to a rise in allegations of war crimes, crimes against humanity and other human rights violations. We have an obligation to the Syrian people to help to ensure that the serious crimes committed over the past four years do not go unpunished.

United Nations S/2015/202

Security Council

Distr.: General
24 March 2015

Original: English

Letter dated 23 March 2015 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

With reference to the statement made by the distinguished representative of Yemen during the emergency meeting of the Security Council on the situation in Yemen, held on 22 March 2015, certain unfounded allegations were made against my country. While categorically rejecting these allegations, I wish to state the following:

- The Islamic Republic of Iran respects the independence, sovereignty, territorial integrity and national unity of Yemen and underscores the need to continue national broad-based dialogues among all Yemeni people and to fight against terrorism in the country.
- Yemen belongs to all Yemeni people and a Yemenite-led dialogue and conciliation process among all Yemeni political and social groups is the most practical way to resolve the complicated crisis in that country. Foreign interfering powers and terrorist groups should not be allowed to have any say in the future of Yemen.
- The Islamic Republic of Iran supports a Yemen that moves on the path of national unity, security and socioeconomic development and helps to enhance regional stability, a Yemen that enjoys constructive interaction with its neighbours and with the States of the region and stays strong and united in its fight against terrorism and extremism.

I should be grateful if this letter could be circulated as a document of the Security Council.

(*Signed*) Gholamali **Khoshroo**
Ambassador
Permanent Representative

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United Nations S/2015/208

Security Council

Distr.: General
24 March 2015

Original: English

Fourth report of the Secretary-General pursuant to paragraph 8 of Security Council resolution 1958 (2010)

I. Introduction

1. The present report is submitted pursuant to paragraph 8 of Security Council resolution 1958 (2010), in which the Council requested me to report and provide analysis to the Council on the usage and expenditure of the escrow accounts referenced in paragraphs 4 and 5 of the resolution on an annual basis, with the first report no later than 31 March 2012, and the final report occurring three months after the transfer of any remaining funds retained for the purposes stated in paragraphs 4 and 5 to the Government of Iraq by 31 December 2016, unless otherwise authorized by the Security Council.

II. Background

2. Pursuant to paragraphs 4 and 5 of resolution 1958 (2010), the Secretariat transferred from the Iraq Account: (a) $20 million to the administrative escrow account exclusively for the expenses of the United Nations related to the orderly termination of the residual activities of the "oil-for-food" programme, including the Organization's support to Member State investigations and Member State proceedings related to the programme, and the expenses of the office of the High-level Coordinator created pursuant to Security Council resolution 1284 (1999); and (b) $131 million to the indemnification escrow account for the indemnification of the Government of Iraq to the United Nations, its representatives, agents and independent contractors.

3. In its resolution 2107 (2013), the Security Council decided to terminate the arrangements set forth in paragraph 14 of resolution 1284 (1999).

III. Administrative escrow account

4. I should like to inform the members of the Security Council that the activities undertaken and funded as outlined in paragraph 4 of resolution 1958 (2010) from 1 January 2014 to 31 December 2014 have led to expenditure amounting to $776,276. The breakdown of the above expenditure is as follows: (a) $689,512 for the activities related to the orderly termination of the residual activities of the "oil-for-food" programme; and (b) $86,764 for the Organization's support to

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Member State investigations and Member State proceedings related to the programme.[1]

5. With regard to the expenditures under paragraph 4 (b) above, no further expenditures will be incurred in connection with the Organization's support to Member State investigations and Member State proceedings. Such support was provided by the Office of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme, which I closed as at 31 December 2013.

IV. Indemnification escrow account

6. I should like to inform the members of the Security Council that no expenditures have been incurred to date in respect of the amount referred to in paragraph 5 of resolution 1958 (2010).

7. Following my last report to the Security Council of 26 March 2014 (S/2014/221), the Secretariat met again with the Government of Iraq to negotiate the implementing agreements as provided for in paragraph 7 of resolution 1958 (2010). However, differences continue to remain between the Government of Iraq and the Secretariat. The Secretariat is of the view that, pursuant to resolution 1958 (2010), the Government of Iraq's obligation to indemnify the United Nations, its representatives, agents and independent contractors should not (a) be limited to the amount held in the indemnification escrow account; and (b) expire and lapse on 31 December 2016. That would ensure that the United Nations, its representatives, agents and independent contractors would be adequately protected from exposure to liability resulting from the oil-for-food programme.

8. At the request of the Government of Iraq, I attach to the present report communications from the Government of Iraq from October 2012, February 2014 and August 2014 (see annexes I-III). I should like to stress the importance of the indemnification agreements being concluded in the very near future. In this regard, the Secretariat remains ready to continue discussions with the Government of Iraq, and I will apprise the Security Council of the outcome of the continued efforts of the Secretariat.

9. In the absence of a successful conclusion of the indemnification agreements between the United Nations and the Government of Iraq, I would revert to the members of the Security Council in respect of the Government of Iraq's obligation to indemnify the United Nations, its representatives, agents and independent contractors, including on paragraph 8 of Security Council resolution 1958 (2010), which provides that the remaining funds in the indemnification escrow account shall be returned to the Government of Iraq by 31 December 2016, unless otherwise authorized by the Council.

[1] Expenditures relate to the liquidation activities for the Organization's support to Member State investigations and Member State proceedings related to the programme.

V. Other

10. In paragraph 2 of resolution 1958 (2010), the Council called upon the Government of Iraq to provide without delay direct payment to the beneficiaries or its representatives of the letters of credit as referenced in the note of the Secretary-General, dated 8 December 2010 (S/2010/619), paragraphs 11 and 12 and annexes II and III thereto.

11. In my reports of 2 April 2012 (S/2012/191), 26 March 2013 (S/2013/191) and 26 March 2014 (S/2014/221), I advised the Council that payments to certain beneficiaries remained outstanding. I am concerned that the payments have not been made, and I continue to urge the Government of Iraq to provide the payments without any delay to the beneficiaries as called for by the Council in its resolution 1958 (2010).

Annex I

The Permanent Mission of the Republic of Iraq to the United Nations presents its compliments to the Executive Office of the Secretary-General of the United Nations and has the honour to attach herewith a copy of a letter from H.E. Hussain al-Shahristani, Deputy Prime Minister and acting Minister for Foreign Affairs of the Republic of Iraq, addressed to H.E. Ban Ki-moon, Secretary-General of the United Nations (see enclosure), regarding the recent round of consultation between the Government of Iraq and the United Nations Secretariat on the implementation of paragraph 7 of resolution 1958 (2010).

New York, 18 August 2014

Enclosure

[Original: Arabic]

Baghdad, August 2014

At the outset, I should like to recall the letters that were sent to Your Excellency in October 2012 and February 2014, and draw attention to the fifth round of consultations between the Iraqi Government delegation and the United Nations Secretariat that took place from 30 July 2014 to 1 August 2014. I wish to reiterate that I regret that this most recent round of consultations did not conclude with the drafting of two memorandums of understanding, in accordance with Security Council resolution 1958 (2010), paragraph 7, that satisfy the interests of both parties. This failure can be attributed to the Secretariat delegation's insistence that, in the two memorandums of understanding, Iraq's obligations should extend beyond 31 December 2016, which is the date specified in the above-mentioned Security Council resolution. The Secretariat delegation also refused to adhere to the ceiling of $131 million established for compensation by that same resolution. We explained our position in that regard in a letter dated 12 October 2012 addressed to you.

In view of the Iraqi Government's desire to resolve this difference and draw up the memorandums of understanding as soon as possible, and given the outstanding cooperative relationship between Iraq and the United Nations, the Iraqi delegation to the fifth round of consultations came forward with a constructive proposal that was aimed at allaying the Organization's concerns without harming the interests of Iraq. Under that proposal, Iraq would have continued to cooperate with the Secretariat to review and address any problems related to the memorandums of understanding that might arise after 31 December 2016. However, contrary to our hope, that proposal did not allay the Secretariat's concerns. It should be noted that the Iraqi delegation to the third round of consultations, which took place in October 2012, also attempted to arrive at a solution that would address the Organization's concerns. At that time, the Iraqi delegation proposed that the Security Council should take up the difference between the two sides at a future date that the Secretariat felt was appropriate. Although this proposal is in line with resolution 1958 (2010), paragraph 8, under which the Security Council is granted such a right, it was rejected by the Secretariat delegation.

In the course of these consultations, we have made great efforts and put forward realistic proposals. We therefore regret that it was not possible to arrive at an agreement that allayed the concerns of both sides. We cannot make proposals that go further than what we have already offered without harming our national interests. We had hoped that the Secretariat would understand Iraq's difficult position and its desire to ensure that any agreement between Iraq and the United Nations pursuant to resolution 1958 (2010), paragraph 7, should not give rise to any new obligations for which no provision is made in the resolution.

I should be grateful if the present letter and the letters we sent to Your Excellency in October 2012 and February 2014 could be annexed to your forthcoming report to the Security Council.

(*Signed*) Hussain **al-Shahristani**
Deputy Prime Minister
Acting Minister for Foreign Affairs

Annex II

The Permanent Mission of the Republic of Iraq to the United Nations presents its compliments to the Office of the Secretary-General of the United Nations and with reference to Security Council resolution 1958 (2010) concerning ending all of the remaining activities of the oil for food programme, has the honour to attach herewith the copy of a letter from H.E. Hoshyar Zebari, Minister for Foreign Affairs of the Republic of Iraq (see enclosure). The Mission of the Republic of Iraq has further the honour to inform that the original letter will follow by mail.

New York, 6 February 2014

Enclosure

[Original: Arabic]

February 2014

I write with reference to my letter of 21 October 2012, the round of consultations that took place between the delegation of Iraq and the Secretariat from 28 to 30 January 2014, and Security Council resolution 1958 (2010), paragraph 7. It is unfortunate that the round of negotiations did not settle the issue of completing the drafting of two memorandums of understanding in a manner that fulfil the interests of both parties. Significant efforts have recently been made, and several important issues have been resolved. It remains only to find a way to address the Secretariat's insistence that Iraq's obligations should extend beyond 31 December 2016 pursuant to those memorandums. I explained our position on the subject in the above-mentioned letter.

The delegation of Iraq attempted to reach a solution that would address the concerns of the United Nations by postponing the issue for a future report of the Security Council, at such a time as the Secretariat deemed appropriate. That solution would have been consistent with resolution 1958 (2010), paragraph 8, under which the Security Council is granted such rights. However, the delegation of the Secretariat found that those assurances were not sufficient to allay its concerns, whereas we had hoped that the proposal would be accepted.

We reiterate our desire to finish drafting the two memorandums of understanding as soon as possible. We hope that the Secretariat will understand Iraq's difficult position and its desire that the two memorandums of understanding to be signed should not give rise to any new obligations for which no provision is made in Security Council resolution 1958 (2010).

(*Signed*) Hoshyar **Zebari**
Minister for Foreign Affairs of the Republic of Iraq

Annex III

The Permanent Mission of the Republic of Iraq to the United Nations presents its compliments to the Office of the Secretary-General and has the honour to attach herewith a copy of the letter from H.E. Hoshyar Zebari, Minister for Foreign Affairs of the Republic of Iraq, dated 16 October 2012 addressed to H.E. Ban Ki-moon, Secretary-General of the United Nations (see enclosure).

The Permanent Mission of the Republic of Iraq would deeply appreciate it if the attached letter could kindly be forwarded to its highest destination.

New York, 22 October 2012

Enclosure

[Original: Arabic]

Baghdad, 16 October 2012

I refer to my letter to you of 5 July 2011 in which I noted that I had directed the delegation of Iraq to resume consultations with the United Nations Secretariat on the basis of paragraph 7 of Security Council resolution 1958 (2010). Although the consultations with the Secretariat that took place on 2 October 2012 did not resolve the two areas of disagreement to which you referred in your first report to the Security Council on 2 April 2012, we continue to share your opinion that it is important to conclude these consultations in a way that will serve the common interests of Iraq and the United Nations, as specified in the above-mentioned Security Council resolution. As you are aware, the adoption of Security Council resolution 1958 (2010) as currently formulated was preceded by consultations and difficult compromises between the relevant parties that took into account the interests of all in a consensual manner. Consequently, to reinterpret the resolution may harm, in one way or another, the interests of one of the parties. Under paragraph 5 of the resolution, the sum that was to be retained in the escrow account for the purpose of providing indemnification was set at $131 million, and that figure was reaffirmed in subparagraph 7 (a) of the same resolution. There is therefore no room for any reinterpretation that would result in an increase in that sum. Moreover, the Security Council resolution sets 31 December 2016 as the date for the termination of the residual activities of the programme. Reaffirming its importance, that date is mentioned in three paragraphs of the resolution, namely, paragraphs 4, 5 and 8. In addition, paragraph 5 states that the United Nations shall retain funds for the purpose of providing indemnification with regard to all activities in connection with the oil-for-food programme since its inception for a period of six years from the date of adoption of the resolution. These various paragraphs also provide that the United Nations shall transfer all remaining funds to the Government of Iraq by the above-mentioned date, namely, 31 December 2016. That date is mentioned more than once in the resolution. Here again, there would seem to be no room for any reinterpretation that would push that date further into the future.

We believe that the proposal submitted by the delegation of Iraq during the most recent round of consultations on 2 October 2012 was formulated using language that could accommodate the concerns of the United Nations. Accordingly, we hope that it will be accepted by the Secretariat.

We look forward to the conclusion of these consultations and an agreement that will be in the interests of both parties. We hope, and will endeavour to ensure, that the two memorandums of understanding that are to be signed will not add any new obligations for which no provision is made in Security Council resolution 1958 (2010).

(*Signed*) Hoshyar **Zebari**
Minister for Foreign Affairs of the Republic of Iraq